

UNIVERSITY COMMITTEE ON ACADEMIC FREEDOM

Minutes of Meeting

Monday, April 22, 2024

I. **Approval of the Agenda and Minutes**

Action Taken: The agenda and minutes were approved as noticed 8-0-0.

II. **Chair's Report**

Chair Farrell Ackerman

The Chair explained that the materials he had circulated would form a basis for the day's discussion. He also said that the Vice Chair intended to make an appeal for to the Senate Executive Director for UCAF to have four meetings next year, instead of the scheduled three.

III. **Reflections and Lessons: The Process of Responding to the Series of Regents' Policy Proposals**

Chair Ackerman discussed the recently revised Regents' proposed policy on public and discretionary statements. He observed that the new version was considerably more straightforward than the previous iterations and that the Regents had been responsive to Senate criticisms. He indicated that this latest proposed policy was likely to be final, and to send any comments on his response letter to him after the meeting.

The Chair stated that the process surrounding the proposed policy was larger than this particular issue and had to do with perceptions of what counts as a violation of academic freedom and shared governance. He explained that the Regents and the Senate approach problem-solving in different ways. The Senate tends to seek input from different constituencies in its decision-making process. The two different approaches result in conflict between the way the Regents and the Senate address issues. In addition, he said, the Senate's various bodies are siloed from one another. Perhaps the Senate could harness more power if it fostered collaboration between its various committees. Chair Ackerman stated that the legislature and the Regents have been increasing their power in the wake of this siloing, and that the position of the Senate could be seen as quixotic.

Members expressed agreement with the Chair's position. The Vice Chair remarked that there is a fraying of some shared commitments between the Regents and the Senate. The power lies with the Regents, and they do not need permission to use their power. They share their power with the Senate when the two bodies have shared objectives. He said that part of the job UCAF members is to educate their faculty colleagues and the Regents. If they do that with clarity, they can have an impact.

IV. Faculty Participation in Union Contracts 2025

Chair Ackerman thanked Professor Hellier for sharing her document regarding the negotiations.

The committee discussed how faculty were excluded from the last round of contract negotiations to deleterious effect. Any impacts on faculty with regard to collective bargaining were not taken into consideration. As a result, the nature of research and graduate education is in the balance. Professor Hellier announced that this upcoming round of negotiations will include consultation with 20 faculty from all of the campuses. Members expressed skepticism as to whether advice from such a group would be heeded. Committee members shared unfavorable outcomes from the negotiations on each of their campuses and departments. Professor Naugle said that the faculty should make the link between the lack of TAs and the increase in faculty workload explicit. Chair Ackerman agreed that the relationship between faculty, graduate students, and GSRs has changed substantially. Members discussed writing a statement that would present all of these problems as seen through the lens of academic freedom. Chair Ackerman suggested writing such a statement to Senate Chair Steintrager and asking him if other committees were writing similar statements. He said he would draft a statement in time for the May meeting.

V. Other Issues Relevant to UCAF

- Math Requirements
- Minimum Undergraduate Stay on Campus
- DEI Statements
- Other

Chair Ackerman stated that these are issues that need to be addressed systemically and not on a case-by-case basis. He said that all of the issues need to be looked at for “downstream” effects on academic freedom. The committee discussed these topics and their handling by the Regents and the Senate. Vice Chair Gailmard expressed an interest in looking at these items with next year’s UCAF.

VI. Preparatory Outline: UCAF’s Incorporation into Council

Chair Ackerman remarked that UCAF had collected experiences and reasons why UCAF should be incorporated into Academic Council. He asked if members would be willing to help put together some arguments for Vice Chair Gailmard to work on over the summer.

VII. Consultation with the Academic Senate Leadership

James Steintrager, Academic Senate Chair
Steven Cheung, Academic Senate Vice Chair

Academic Senate Chair Steintrager explained that the Provost had hired a consultant to provide advice to UCOP on how to be better positioned for the next round of contract negotiations. That person has made her recommendations. The Senate Chair said that he initially had assumed that the consultant would be focused on the consequences of

the negotiations on faculty, but that the focus switched to how UCOP is going to be organized and communicate for the negotiations process. He observed that there will be changes made in the way UCOP organizes its structure in response to organized labor, and that it will include more faculty in the process. He said that the librarian negotiations might serve as a pattern for the graduate student negotiations. Recalling retired faculty to serve in this capacity has proven to be a very good model. Chair Steintrager said that such a role requires 24/7 availability. APP has pointed out that faculty participation has been suboptimal in the past because active faculty did not have the time to serve that ceaselessly. APP has also reached out to the Senate to get names of faculty members to save on a pre-negotiation body. This was a very time-sensitive request, and APP had a specific list of disciplines they wanted represented. He said that he believes that there will be more faculty participation in the next round of negotiations, but that he has not heard any discussion about the consequences of the contract on faculty; that needs to be rectified in this next iteration. Communication streams and faculty concerns need to be worked out in advance; the previous communication was “a disaster.” Chair Steintrager said faculty striking in sympathy and partial strikes will not be allowed.

Members had questions for Chair Steintrager and there was discussion. Chair Ackerman mentioned that UCAF might write a letter to Council about the effect of the last round of negotiations on academic freedom.

The Senate Chair observed that UCAF had reached a consensus regarding the proposed Regents’ policy on public and discretionary statements. He said that the process aspect of this proposed policy left much to be desired but that the Regents ultimately learned that bypassing the Senate “was not easier and was not better.” He said that this process might improve the overall relationship between the Senate and the Regents going forward. He remarked that UCAF’s recommendations helped the Board think help more deeply about this item and that the movement on this policy was very surprising. Chair Steintrager will be pressing for an MOU with the Board to make sure that when Regental policies are being developed, the Regents get appropriate faculty participation beforehand. That type of faculty involvement would have significantly reduced the number of iterations required for the development of this proposed policy. Members thanked Chair Steintrager for his hard work and advocacy for the faculty.

Chair Steintrager closed his remarks by referring to the recent campus demonstrations and how UCAF might be able to advise the Senate regarding related legislation.

VIII. Campus Reports

Time did not allow for campus reports.

The committee adjourned at 12:02 p.m.