

UNIVERSITY COMMITTEE ON ACADEMIC FREEDOM

Minutes of Meeting

Wednesday, May 15, 2024

I. Approval of the Agenda and Minutes
Action Taken: The agenda and minutes were approved 7-0-0.

II. Chair's Report
Vice Chair Sean Gailmard

NB: The Chair was not present for the start of the meeting.

Vice Chair Gailmard commented that in his many years of work on academic freedom, he has seen a considerable change in the tenor and intensity in this area, and this change seems to be continuing. He explained that he will be talking to the incoming Senate Chair about composing a proposal for UCAF to sit on Council. He observed that UCAF offers important perspectives with regard to OP proposals and that UCAF had a significant effect on what Chair Steintrager was able to effect with the Regents' proposed policy on public and discretionary statements.

III. Contract Consequences for Academic Freedom

Vice Chair Gailmard explained that this item was a continuation from the last meeting. He asked if members had any further thoughts or comments. He remarked that he did not have any clarity on what is at stake with regard to academic freedom in changing the contracts, and that he did not think that UCAF should be making strong statements about them unless the committee can be sure that there is a clear connection to academic freedom. Members discussed a possible approach to the need for faculty representation in the negotiations. They also mentioned demands on faculty time devoted to mentoring, and the grieving of students if they earn a poor grade. The committee discussed the issue at length. Chair Ackerman recounted a situation that had taken place at UCSD that was related to the contract that had consumed considerable faculty time. He said that he would like to convey the systemic consequences of the contracts to the University.

IV. Arguments for UCAF to be on the Systemwide Academic Council

Vice Chair Gailmard discussed UCAF's "pitch" to join Council. He said that faculty representation in union negotiations might be a possible talking point. He noted that UCAF had made significant comments on the University's draft workplace harassment policy and workplace discrimination policy. One member suggested that it might be strategic to say that academic freedom issues have become more salient in recent times. There was discussion about the Council's assertion that adding a new committee to Council would upset the voting balance of the body. One member suggested that

perhaps UCAF could have a voice on Council without a vote. Other members seemed to find that thought palatable and perhaps viable. The Vice Chair underscored that UCAF needs to present specific recent examples of academic freedom being brought into question in critical issues. A question was raised as to whether UCAF should have a representative from UC Legal at its meetings. It was remarked that a distinction needs to be between shared governance and academic freedom, yet they are interdependent.

V. Campus Unrest and Administrative Responses

Members discussed the different ways campus encampments are being handled at the divisions. It was noted that the administration of some campuses handled the situation well, while others handled it poorly.

VI. Consultation with the Academic Senate Leadership

James Steintrager, Academic Senate Chair

Steven Cheung, Academic Senate Vice Chair

Academic Senate Chair Steintrager told the committee that he was at UC Merced for the Regents' meeting. It is the first time the Board has met at that campus.

Chair Steintrager discussed the encampments on the campuses and the myriad ways in which the divisional administrations had chosen to respond to them. He noted that the campuses had been far from united in their approaches. He remarked that the UCLA and UCSD encampments ended with police intervention, while UCR and UCB ended with negotiation. One of the biggest areas of concern for the Senate is UCLA's failure of communication between the administration and the Senate with regard to suspending or cancelling classes and then going remote. He said that he had indicated to all of the divisional chairs that they need to tell their chancellors to make sure that the Senate is consulted on any decisions related to the delivery of instruction. The Senate Chair noted that UCSD also suspended classes, and he did not believe that there was adequate Senate consultation in that instance as well. He said he would approach the UCSD chancellor about it at some point during the Regents' meeting. In response to a question, Chair Steintrager told the group that the Regents had discussed the encampments, but it was largely in closed session. He did say, however, that the Regents would like to see some degree of coordination between the campuses in these types of situations. The Chair said that his [Regents remarks](#) discussed academic freedom and how it was treated somewhat cavalierly by the Regents. Another closed session meeting had to do with the strikes, where he weighed in on the Senate's position on strike guidance. He said he was very pleased that OP is now going to publish FAQs and guidance related to strikes. Chair Steintrager said that the "trickiest bit" for faculty has to do with whether they are required to take up struck labor. The faculty associations have been asserting that they do not. The APM is very clear that the instructor of record is responsible for the entire course. The problem is that TAs across the system are employed in ways that do not closely follow the APM strictures in this regard. They are given more responsibility than what the APM allows and then it is hard for the instructor of record to take on this responsibility. The Chair observed that he is very cognizant of the issue of undergraduate education, and there will be some counter-messaging in that regard. He noted that faculty do have the right to strike, but a

significant obstacle is that the Senate, OP, and the faculty association assert that if you strike, management may withhold your pay. However, there are no mechanisms to do that; it is possible to strike without consequence. Members discussed the strikes and the role of the Senate at length.

Chair Ackerman thanked the Senate leadership for their strong advocacy for academic freedom.

VII. Campus Reports

Some members were able to report on campus issues related to academic freedom, however, there was not adequate time to hear from all the campuses.

The committee adjourned at 1:03 p.m.