



## UNIVERSITY COMMITTEE ON ACADEMIC FREEDOM

### Minutes of Meeting

Thursday, December 19, 2024

**In attendance:** Sean Gailmard (Chair), Barry O'Neill (Vice Chair), R. Jay Wallace (UCB), Greta Hsu (UCD), Lisa Naugle (UCI), Michael Meranze (UCLA), Jenniver Lu (UCM), Quinn McFrederick (UCR), Molly Roberts (UCSD), Vikram Rao (UCSF), Laurie Freeman (UCSB), Roger Schoenman (UCSC), Steven Cheung, Ahmet Palazoglu, Victoria Saleme (Student Representative, UCD), and Fredye Harms (analyst)

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

**Action Taken:** *The agenda and minutes were approved 11-0-0.*

#### II. Guide/Primer to Academic Freedom

*Chair Sean Gailmard*

Chair Gailmard remarked that the committee had discussed creating a guide on the nature of academic freedom and the function of UCAF. A document along these lines was created at UCSC and could be used as a model. He asked members if they felt that such guidance would be useful. The Chair stated that UCAF needs to help faculty understand how to stand up for themselves and their right to do so. He said he will draft a skeletal outline; the committee will need to determine how to distribute it and if approval from Council is needed.

#### III. Consultation with the Academic Senate Leadership

*Steven W. Cheung, Academic Senate Chair*

*Ahmet Palazoglu, Academic Senate Vice Chair*

Academic Senate Chair Cheung observed that the past two months had been very busy. The University's operating budget was approved by the Regents along with an increase to non-resident tuition (NRT). The change to NRT generated a lot of discussion about possible loss of diversity in that population; the administration has been tasked to monitor that. A \$1.36B budget to support capital projects was approved as well as a 3.7 percent range adjustment to the scales for faculty. Regents' Policy 4400 (the UC diversity statement) was amended to include to recognize and support disabled members of the UC community. The Senate worked hard on this amendment, and the Regents accepted the Senate's language with no revision. Conversely, the Regents have expressed strong dissatisfaction that no one had been disciplined at UCLA related to the campus protest activities in response to the war in the Middle East. They believe that this is the fault of the Senate. In January, the Senate and administration will explain the faculty discipline process to the Regents; Chair

Chung said that the Regents may give the University a directive to examine P&T processes in detail. Assembly met recently and the UC Quality Statement was unanimously approved. The issue of A-G requirements was debated and there was very good engagement; the discussion on the Ethnic Studies requirement was postponed until April. There is also a special meeting Assembly meeting that has been called by a member of the Davis division. It is regarding three topics: the President's information security plan, the variance between staff and faculty when salary adjustments are made, and the rise in health plan premiums.

Council discussed revisions to SR 479 (Cal-GETC). The first revision would lift the absolute requirement for a course in the biological sciences. This was approved, and will move to consideration by Assembly. The second revision - to defer up to four GE courses for completion after transfer - was debated and postponed due to questions about administrative costs. Faculty workload will need to be addressed in the next revision. Also proposed was Senate Regulation 627, which would establish guidelines for awarding undergraduate and graduate degrees proximately. It was considered, but no action was taken. There is some good news with the MOP program. Due to the high interest rates last year, those funds were depleted early, and the loans were not attractive for purchase. CFO Brostrom announced that there would be an additional \$200M that would be prioritized for loans that have not yet been processed. Regarding labor, there is now an agreement to extend the contract to January 2026. The Davis division has held a confidence vote on President Drake and the voting outcome has not yet been certified. The Senate is also undertaking an examination of a common payroll calendar. There is a joint Senate/administrative workgroup that is analyzing the relationship between the 1.33% calendar slip increment to base salaries that was delivered in 2019, and its impact on cumulative compensation over the past five years. UCSF has certified votes to extend Senate membership to adjunct as well as health sciences clinical faculty. Now it will be referred to the other nine divisions for consideration. Finally, several senior management searches are underway, including for president as well as the Santa Barbara and Riverside chancellors.

Vice Chair Palazoglu discussed the workgroup on the development of a common systemwide academic calendar. He noted that a significant number of AAU colleges are on the semester system. The group is looking at what will be gained or lost if the quarter system campuses were to convert to the semester system. A subgroup is looking at the financial cost of the transition. The calendar workgroup has held three meetings, and early on modified the charge to be as neutral as possible regarding the expected outcome. The group hopes to have a report in March/April that will go out for 90-day review. In the interim, it is developing a website for information and a portal for feedback.

Chair Chueng reported on the workgroup that is reviewing APM 015-016. The workgroup analyzed both policies and determined that changes were not necessary, although guidance may be issued to help clarify some aspects. The group will also be looking at the issue of consistent administration of discipline. Separately, a very important workgroup is getting started on total remuneration that is being administered by HR. Chair Cheung said that he is still waiting for a formal charge and expected deliverables.

Members had questions and there was discussion.

#### **IV. Protections for Faculty Under APM-015/016 and their Role in Academic Freedom**

*Chair Sean Gailmard*

Chair Gailmard explained that this item is about the disciplinary process for faculty. Senate Chair Cheung asked if UCAF could write something that would address the topic from an academic freedom perspective. Chair Gailmard noted that academic freedom is inherent in the process of imposing discipline on faculty. He noted that there was a reissue of APM 10 two years ago and it had a preamble that lays out the distinction between freedom of speech and academic freedom and how academic freedom is necessary to the way the University works. Scholars need to be the individuals evaluate their peers and their work, and that can take time. The process cannot work by referring cases to the administrative unit.

Members discussed the topic.

#### **V. DEI Statements in Faculty Hiring**

*Chair Sean Gailmard*

Chair Gailmard noted that the issue of DEI and hiring had been in the news lately, with actions at Michigan and MIT. He suggested that UCAF write a statement for Council on DEI statements and when and how they are appropriate. He told the group that UCAADE and UCAF collaborated several years ago on a statement on appropriate content that would advance DEI and protect academic freedom. He asked members for their thoughts and there was discussion.

The Chair said he would put together some thoughts to review at the next meeting.

#### **VI. “Institutional Neutrality” and UCAF’s 2022 Guidance on Collective Department Statements**

*Chair Sean Gailmard*

Chair Gailmard remarked that institutional neutrality is relevant in light of UCAF’s 2022 guidance on department statements; it is an academic freedom issue. The specifics involve not making statements about what is considered a political matter. He observed that academic freedom does not protect the statements of administrators. The Supreme Court case with Citizens United was about freedom of speech, not academic freedom. Members discussed the issue of department statements on UC websites and about the disintegration of shared governance within the University.

#### **VII. Campus Reports**

Members reported on campus activities related to academic freedom.

#### **VIII. Systemwide Information and Items Under Systemwide Review**

A. Senate Chair Cheung’s Remarks to the Board of Regents

B. Proposed Presidential Policy on the Use of Animals in Research, Teaching, and Testing

Members were encouraged to share any thoughts they might have on this proposed policy.

**IX. New Business**

There was no new business.

**X. Executive Session**

Minutes are not taken during Executive Session.

The committee adjourned at 1:36 p.m.

Minutes prepared by Fredye Harms, Committee Analyst

Attest: Sean Gailmard, Committee Chair