

UNIVERSITY COMMITTEE ON ACADEMIC FREEDOM

VIDEOCONFERENCE MINUTES

THURSDAY, MARCH 21, 2019

Attending: Eric Rauchway, Chair (UCD), Jeff Rabin (UCSD) (alternate), Mary Furner (UCSB), Jyu-Lin Chen (UCSF) (alternate), Gail Hersatter (UCSC), Ty Alper (UCB), Mei Zhan (UCI), Brian Soucek (UCD), Laura Hamilton (UCM), Devra Weber (UCR), Frances Osran (Undergraduate Student Representative, UCB), Robert May (Chair, Academic Senate), Kum-Kum Bhavnani (Vice Chair, Academic Senate), Brenda Abrams (Principal Policy Analyst, Academic Senate)

I. Consent Calendar

Action: The December 11, 2018 videoconference minutes were approved.

Action: Today's agenda was approved.

II. Consultation with the Academic Senate Office

- *Robert May, Chair, Academic Senate*
- *Kum-Kum Bhavnani, Vice Chair, Academic Senate*

Chair May would like UCAF to consider if the Senate should issue a statement in response to the recently signed "Executive Order on Improving Free Inquiry, Transparency, and Accountability at Colleges and Universities." A proposed affiliation between UCSF and Dignity Health was brought to the committee's attention although UCAF is not asked to opine on this matter. The workgroup tasked with creating policies for academic freedom for non-Senate academic appointees has completed its work. UCAF will weigh in on the proposed Academic Personnel Manual (APM) policy 011.

Chair May mentioned that Academic Council discussed the nationwide college admissions scandal and the sentiment is that a student admitted as a result of fraud should be expelled from UC. The Committee on Educational Policy and the Coordinating Council of Graduate Affairs have been asked by Chair May to consider if a policy is needed for incarcerated students who are academically qualified. A task force is being formed to study the validity and bias of student course evaluations. Chair May also mentioned UCD's Joshua Clover, who has made controversial comments regarding the police. Lawmakers are calling for Professor Clover to be fired and there is a question about professional standards of behavior.

III. The Public Records and Freedom of Information Acts and Harassment of UC Faculty

UC faculty engaged in controversial research are being bombarded with California Public Records Act (CPRA) and Freedom of Information Act (FOIA) requests which has reached an abusive level. A Davis faculty member is helping develop legislation to protect faculty from the abusive use of these laws. Chair May will contact the Office of General Counsel (OGC) and State Government Relations about UCOP's position on the proposed legislation.

Discussion: Faculty who receive a CPRA or FOIA request are advised to contact their campus General Counsel. OGC are mindful of the need to protect academic freedom and work product.

IV. Online Attacks on Faculty and Students

The specific examples of online attacks on UC faculty and students that have come to UCAF's attention involve the Canary Mission website. UCSC's CAF has been discussing this matter after a graduate's job offer from another university was withdrawn after that university found information about her on that

website. The website posts often inaccurate information about people who are politically active for Palestinian rights. Twenty-one people affiliated with UCSC are listed on this website. The CAF chair and others met with UCSC's chancellor and General Counsel and OGC at UCOP has been consulted. What Canary Mission is doing has been deemed non-actionable and UC cannot defend individual faculty who are defamed. UCSC's General Counsel has proposed offering workshops for individuals listed on Canary Mission or similar websites.

Discussion: It is unclear if faculty and students at other campuses are being targeted by Canary Mission or in other social media. This type of activity is unlikely to stop and may become more intense. UCAF could ask Council to issue a statement about blacklisting so at least there is awareness of this activity and potential damages. It is important to make it clear that UC will not bow to the pressure from these websites. Chair Rauchway will draft a statement to submit to Council. UC faculty are reportedly becoming more cautious about discussing the Israel-Palestine conflict.

V. Campus Reports and Member Items

UCD: Based on the known facts related to Professor Clover, there does not appear to be any justification for him to be censured. The representative would like UCAF to weigh in on the petition from faculty, staff and students to UCD's administration protesting a plan for seminars on anti-Semitism run by the Anti-Defamation League. A CPRA request for this petition has been received by UCD. The response to this request would not include students' names but junior faculty are concerned because they believed the petition was confidential. Faculty need training on the CPRA and public institutions. It is unclear if this is an academic freedom issue.

UCM: The CAF is looking at the workload policies for Teaching Professors (formerly known as Lecturers with Security of Employment). The Teaching Professors have the same teaching loads as Unit 18 Lecturers but have additional responsibilities according to the Academic Personnel Manual. The concern is that Teaching Professors are being exploited, whose teaching load should be less than the Unit 18 Lecturers.

UCSD: The CAF is drafting a document about threats to academic freedom such as Canary Mission. It will include resolutions the committee hopes will be adopted by UCSD's Representative Assembly.

UCSF: The committee has received funding from the chancellor to hold a town hall in May on revenue generating partnerships and the potential impact on academic freedom.

UCSB: The CAF is trying to identify ways to handle CPRA and FOIA requests and will consult with campus General Counsel on this matter.

UCSC: The committee opposed the divisional Senate's endorsement of the Chicago resolution on freedom of speech and academic freedom. The resolution was brought to the Senate by one faculty member and the CAF indicated that the resolution is unnecessary and politically motivated. The Senate did not approve the endorsement.

Videoconference adjourned at: 2:30 PM
Minutes prepared by: Brenda Abrams
Attest: Eric Rauchway