

## UNIVERSITY COMMITTEE ON ACADEMIC FREEDOM (UCAF) 2005-2006 ANNUAL REPORT

### TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Academic Freedom (UCAF) met twice in Academic Year 2005-2006, and held one conference call to conduct business with respect to its duties as outlined in [Senate Bylaw 130](#). Highlights of the Committee's activities and accomplishments are noted in this report.

#### **Academic Freedom and Students**

In April, UCAF submitted its proposed *Student Freedom of Scholarly Inquiry Principles* to Academic Council, asking that Council and Assembly endorse the Principles with a recommendation to President Dynes that they be adopted as the policy of the University of California. The document originated in a joint Senate-Administration Workgroup that was established in 2005 to discuss the issue of academic freedom for students. The Workgroup—which included UCAF members, Senate faculty leaders, students, and administrators from Student Affairs—concluded that it would be useful to develop an affirmative policy or statement that would be available as a clear reference for students about their rights and responsibilities. Patrick Fox, former UCAF chair and Workgroup liaison to UCAF, was closely involved in drafting the *Principles* document, as well as a *Preamble* that provided additional background and context for the *Principles* and a summary of their philosophy and relation to student academic freedom. Over the course of the year, UCAF members and divisional academic freedom committees reviewed, refined and endorsed the *Principles* and *Preamble*. In addition, UCAF's graduate student representative shared the document with the Board of the UC Students Association, which added its endorsement in an 8-0-3 vote. UCAF hoped the *Principles* would help clarify and re-emphasize the fundamental commitment of the UC Faculty to student freedom of scholarly inquiry, and also prevent less desirable statements or policies from being imposed on the University from outside groups. At the end of the year, Council asked UCAF to prepare a revised proposal for Council's consideration, taking into account comments and suggested amendments from divisions and systemwide committees.

#### **Concern about Political Interference in Academia**

UCAF discussed efforts by politicians and other outside groups who were seeking to legislate political controls on speech and academic freedom at UC or who were targeting faculty colleagues for their politics and/or scholarship in organized protests. One group was encouraging students to monitor UC professors for alleged political bias by taping lectures and submitting them to a website, and another group was asking University and State officials to screen course content in certain disciplines. UCAF prepared an outline of concerns in anticipation of potential actions by lawmakers, noting that efforts to force faculty from particular departments to submit curricula and syllabi for review or limit their ability to make tenure decisions, were grave threats to academic freedom.

UCAF also passed a motion in support of a UC Students Association (UCSA) Resolution that opposed legislative intervention into scholarship and classroom activities, which it forwarded to the UCSA.

### **Responses to Proposed Legislation**

In March, UCAF submitted comments to the Academic Senate Legislative Analyst in response to California Senate Bill 1412 – proposed legislation that would have required UC to adopt and implement a “Student Bill of Rights,” and which mandated the recording of meetings concerning faculty hiring, promotion, and tenure. UCAF condemned SB 1412, as well as its earlier incarnation, SB 5, as intrusive attempts by the State to impose inappropriate controls on speech and academic freedom – areas under the exclusive authority of the faculty. UCAF’s comments were incorporated into the Senate’s response to the UC Office of Legislative Affairs. SB 1412 was later withdrawn, but the Academic Senate was watching for future renditions of the bill.

### **The Influence of Corporate Funding on Research**

In the previous academic year, UCAF had raised concerns about the possible adverse influences of corporate funding on research integrity and academic freedom. UCAF’s concern prompted Council to ask the University Committee on Research Policy (UCORP) to consider the issue of corporate influence more closely. UCAF also discussed the possibility of forming a joint subcommittee with members of UCORP to study the issue in-depth. In April, UCORP sent a memo to UCAF, noting that although UCORP felt the issue deserved continued surveillance, it could not identify examples of corporate interference not covered by the general principles articulated in its 2004 “[Research Strings](#)” report. UCORP said it wished to close the issue unless UCAF could provide specific examples involving particular research areas or specific sources of funding.

In its response to UCORP, UCAF noted that corporate pressure on research would remain an issue in academia, and perhaps grow in importance, as public-private partnerships moved the university toward greater corporatization. In addition, the committee noted that it had also struggled to identify specific examples of corporate pressure or possible monitoring mechanisms, because the influences and their effects could be very subtle or hidden. UCAF asked UCORP to keep it informed of any issues UCORP became aware of in the future.

### **Institutional Review Boards**

In May 2005, UCAF made a recommendation to the Academic Council that the University consider establishing systemwide standards for Institutional Review Boards (IRBs). Council asked the University Committee on Research Policy (UCORP) to take the lead in reviewing the issue, in coordination with UCAF. In April, UCAF reviewed a draft of UCORP’s report and returned comments to UCORP in a memo. UCAF noted support for UCORP’s recommendations for more uniform standards across campuses and more timely IRB approvals; the development of a distinct model for social and behavioral science protocols based on the unique nature of those fields; increased resources, staff support and training for IRBs; more meaningful recognition and compensation of IRB members; more input from the Senate into IRB membership to guarantee that adequate expertise is present; and the establishment of formal procedures to allow faculty to challenge the decision of an IRB.

### **Campus Policies on Integrity and Misconduct in Research**

UCAF discussed the efforts of the UC Davis Academic Freedom Committee to help re-craft a local policy on integrity in research, after concerns arose that it violated principles of academic freedom and shared governance. The policy was developed by the administration at Davis in response to a request from the National Institutes of Health. UCAF members were asked to research the status of the NIH request on their campuses and to verify that their campus policies on integrity and misconduct in research referred matters of investigation and discipline to Academic Senate Privilege and Tenure committees. At the end of the year, UCAF was contemplating a recommendation for the University to develop a uniform, systemwide policy based on the Davis policy.

### **Other Issues and Activities**

In May, UCAF issued a formal response to the systemwide review of the Universitywide Committee on Library's Proposed Amendment to Senate Bylaw 185. The committee devoted part of each regular meeting to reports and updates on issues facing local committees, including discussion of specific academic freedom cases at UC and other universities. UCAF discussed campus-specific effects of post 9-11 legislation, particularly the impact of the Patriot Act, visa restrictions on foreign students and scholars, and government access to student records. There was discussion of political influence in federal scientific review panels; hate speech and conditions of civility on campus; academic freedom at the Department of Energy National Laboratories; the Scholarly Communication White Papers and University copyright policy; whether State funding cuts to the Institute for Labor and Employment represented a violation of University autonomy and academic freedom; and how Research and Instruction (R&I) support funds were being distributed to the campuses. The committee considered how a paper drafted by UCAF Vice Chair Theis – *Academic Freedom: Its Privilege and Responsibility within the University of California* – could be developed into a possible educational tool to promote faculty understanding of academic freedom issues.

Finally, UCAF consulted with the Academic Senate chair and vice chair on issues facing the Academic Council and Senate; and the Academic Senate executive director on Senate office procedures and committee business.

Respectfully submitted,

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