



Mary Croughan  
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Chair of the Assembly and the Academic Council  
Faculty Representative to the Board of Regents  
University of California  
1111 Franklin Street, 12th Floor  
Oakland, California 94607-5200

August 14, 2009

**LAWRENCE PITTS  
INTERIM PROVOST AND EXECUTIVE VICE PRESIDENT – ACADEMIC AFFAIRS**

**Re: Proposed Statement of Principles for Freedom of Student Scholarly Inquiry (APM 010)**

Dear Larry:

At its July 29, 2009 meeting, the Academic Council approved the enclosed comments on the proposed statement of principles that would be appended to APM-010. UCB, UCI, UCLA, UCSB, UCSD, UCEP, and UCFW commented on the proposed statement. All respondents endorsed the proposed statement. UCB, UCLA, UCSB, UCSD, and UCEP endorsed the language as proposed, while UCI provided the following editorial suggestion:

(First paragraph, first sentence) The University seeks to foster in its students a mature independence of mind, and this purpose cannot be achieved unless students are free to express a wide range of viewpoints ~~in accord with the standards of scholarly inquiry for the competence of student work at each level of the educational process for completion of student work.~~ The substance and nature of these standards properly lie within the expertise and authority of the faculty as a body. As such it is primarily the responsibility of the faculty as set forth in the Faculty Code of Conduct to ~~insure~~ ensure that student freedom of scholarly inquiry is fostered and preserved in the University.

Please do not hesitate to contact me if you have any questions regarding Council's comments.

Sincerely,

A handwritten signature in cursive script that reads "Mary Croughan".

Mary Croughan, Chair  
Academic Council

Copy: Academic Council  
Martha Winnacker, Academic Senate Executive Director  
Patricia Price, Interim Executive Director, Academic Personnel

Encl. 1



320 STEPHENS HALL  
UNIVERSITY OF CALIFORNIA

July 24, 2009

MARY CROUGHAN  
Chair, Academic Council

*Subject: Proposed statement of principles to append APM 010 – Academic Freedom*

Dear Mary,

The request for review of the proposed statement of principles to append APM 010 regarding Academic Freedom, was received too late for formal review by the Berkeley Division. Accordingly, I forwarded it to the relevant divisional committees for informal comment. All agree that the statement is a welcome and useful addition. It was noted by some that the statement could be more expansive, addressing not only teaching and research, but also other forms of engagement at the University (i.e., through discussion forums, organized debates, or participation in student organizations).

Sincerely,

A handwritten signature in cursive script that reads 'Mary K. Firestone'.

Mary K. Firestone  
Chair, Berkeley Division of the Academic Senate  
Professor, Environmental Science, Policy and Management

Cc: Arthur Reingold, Chair, Committee on Academic Freedom  
Committee on Academic Freedom file



Office of the Academic Senate  
3700 Berkeley Place South  
Irvine, CA 92697-1325  
(949) 824-2215 FAX

July 20, 2009

Mary Croughan, Chair, Academic Council  
1111 Franklin Street, 12<sup>th</sup> Floor  
Oakland, CA 94607-5200

**RE: SYSTEMWIDE REVIEW OF PROPOSED STATEMENT OF PRINCIPLES TO  
APPEND APM-010, ACADEMIC FREEDOM**

At its meeting of July 14, 2009, the Irvine Division Academic Senate Cabinet reviewed the proposed statement of principles that would be appended to APM-010. The Cabinet agreed that the academic freedom that faculty have should be extended to students. It was also noted that the principles of academic freedom are vague on some topics such as intellectual property rights of undergraduates and non-employed graduate students and independent authorship by employed graduate students.

The following editorial revisions were suggested by one of the Councils:

(First paragraph, first sentence) The University seeks to foster in its students a mature independence of mind, and this purpose cannot be achieved unless students are free to express a wide range of viewpoints ~~in accord with the standards of scholarly inquiry for the competence of student work at each level of the educational process for~~ completion of student work. The substance and nature of these standards properly lie within the expertise and authority of the faculty as a body. As such it is primarily the responsibility of the faculty as set forth in the Faculty Code of Conduct to ~~insure~~ ensure that student freedom of scholarly inquiry is fostered and preserved in the University.

The Irvine Division appreciates the opportunity to comment.

A handwritten signature in cursive script that reads "Jutta Heckhausen".

Jutta Heckhausen, Senate Chair

C: Martha Kendall Winnacker, Executive Director, Academic Senate



ACADEMIC SENATE EXECUTIVE OFFICE  
LOS ANGELES DIVISION  
3125 MURPHY HALL  
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June 19, 2009

Mary Croughan  
Chair of the Academic Council  
University of California

**In Re: Proposed Statement of Principles for Freedom of Student Scholarly Inquiry (APM 010).**

Dear Mary,

Thank you for the opportunity to review the revised Principles for Student Freedom of Scholarly Inquiry. When the UCLA Academic Senate first received this matter in the 2005-06 Academic Year, we vetted and endorsed the proposal (Please see the response from then-Senate Chair Adrienne Lavine). Upon receipt of the current draft, it was reviewed for consistency with UCLA's previous position. Having found no significant differences, it was presented to the Executive Board on its consent calendar and approved. Therefore, I am pleased to report that the UCLA Academic Senate raises no objections to the proposed revisions to APM 010.

Please do not hesitate to contact me if I can be of further service.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael S. Goldstein".

Michael S. Goldstein  
UCLA Academic Senate Chair

Cc: Martha Kendall Winnacker, Executive Director, Systemwide Senate  
Jaime R. Balboa, Chief Administrative Officer, UCLA Academic Senate



ADRIENNE LAVINE, CHAIR  
ACADEMIC SENATE EXECUTIVE OFFICE  
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July 10, 2006

JOHN OAKLEY  
CHAIR, UC ACADEMIC SENATE

Dear John:

Thank you for the opportunity to review the proposed Student Freedom of Scholarly Inquiry Principles. The statement was sent to all of the standing committees of the UCLA Divisional Senate along with an invitation to opine on the matter. Four committees discussed the Principles in their meetings: Executive Board, Council of Faculty Chairs (CFC, consisting of all the FEC Chairs), Undergraduate Council (UgC), and Committee on Academic Freedom (CAF). The latter two provided written responses which are attached. Executive Board and CAF endorsed the statement in whole. The CFC and UgC were generally supportive of the statement, but had suggestions for its improvement, as summarized below.

#### Council of Faculty Chairs

While most members of CFC endorsed the statement in its entirety, a minority opinion was expressed that the statement did not go far enough in placing the responsibility for protecting students' freedom of scholarly inquiry in the hands of the faculty. As one member expressed after the meeting, "It is academic misconduct for a faculty member to consider a student's agreement or disagreement with the faculty member's when evaluating a student's work, or to treat academically respectable conflicting viewpoints with hostility or contempt in the classroom. It is the responsibility of each department and school, and of the Academic Senate at each campus, to establish procedures under which a student who believes that his or her academic freedom, or that of other students, has been violated by a faculty member can have that grievance heard by an impartial body with the power to vindicate the student's rights." Of course procedures *do* exist for bringing charges against a faculty member for violating the Faculty Code of Conduct. But I believe there is an important question inherent in this CFC member's comments: Do existing procedures truly protect students' freedom of scholarly inquiry? I will return to this question in the last paragraph of this letter.

## Undergraduate Council

Several UgC members thought the statement should emphasize that students' academic freedom "should not be construed as adversarial to the faculty from which it derives."

UgC members commented that "the faculty's own academic free speech rights in the classroom are not absolute, especially in situations where controversial opinions are not germane to the subject of a course." I think this is an important point; the Faculty Code of Conduct does include as unacceptable conduct, "significant intrusion of material unrelated to the course." I believe that when a faculty member expresses "controversial opinions ... not germane to the subject" it can create an environment in the classroom in which students feel that they cannot express their own opinions without fear of reprisal. For this reason, I believe this principle bears repeating in the Student Freedom of Scholarly Inquiry Principles.

UgC felt that the issue of students' intellectual property rights (mentioned on page four of the document) should not appear in a statement about academic freedom.

Finally, I would like to return to the issue of faculty responsibility for protecting students' rights in the classroom. I have heard from students who claim that they have to regurgitate their instructor's opinions in order to get a good grade; other faculty members with whom I've spoken have heard similar things from students, including anecdotes about students having received poor grades when they expressed conflicting opinions. There is no way of knowing whether these student reports are accurate, but the fact that students believe this is in itself a serious problem. We have procedures by which students can charge faculty with violating the Faculty Code of Conduct; I doubt that most students are aware of those procedures and I suspect that most students would feel cowed by them. Therefore, I would like to support the minority view expressed in the Council of Faculty Chairs. That is, I recommend that the Principles go even further than stating that "the faculty have the major responsibility" to protect students' rights. I suggest that the Principles include a statement that faculty are responsible for establishing and implementing procedures that protect students' rights as articulated in the Principles, and that those procedures should not place an unrealistic burden on the students. I would like for this to be communicated to UCAF for its consideration.

Thank you for your consideration of these comments.

Sincerely,



Adrienne Lavine  
UCLA Divisional Senate Chair

Cc: Vivek Shetty, Vice Chair UCLA Divisional Senate  
Kathleen Komar, Immediate Past Chair UCLA Divisional Senate  
María Bertero-Barceló, Systemwide Senate Executive Director  
Jaime Balboa, CAO UCLA Academic Senate



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Joel Michaelsen, Chair  
Deborah Karoff, Executive Director

July 23, 2009

Mary Croughan, Chair  
Academic Senate

RE: Statement of Principles: Student Freedom of Scholarly Inquiry

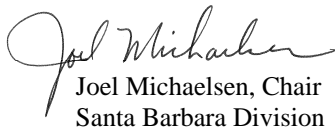
Dear Mary,

The Council on Faculty Issues & Awards of the Santa Barbara Division reviewed the proposed statement of principles for Student Freedom of Scholarly Inquiry. The Division and Council endorse this proposal, noting that it clarifies that students have rights, but that they are distinct from, related to, but not equivalent to the academic freedom of faculty members.

Nonetheless, Council also noted that several statements within the proposed policy are vague and subject to differing interpretations. For example, on page 2, the document states, "The academic freedom of the faculty in the classroom is not absolute, as outlined in the Faculty Code of Conduct in situations where controversial opinions are not germane to the subject of the course." In particular, such phrases as "controversial opinions" and "germane to the subject" may be open to various interpretations and construed in different ways.

Thank you for the opportunity to comment.

Sincerely,

  
Joel Michaelsen, Chair  
Santa Barbara Division





OFFICE OF THE ACADEMIC SENATE

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July 22, 2009

Professor Mary Croughan  
Chair, Academic Senate  
University of California  
1111 Franklin Street, 12<sup>th</sup> Floor  
Oakland, California 94607-5200

SUBJECT: Proposed changes to Academic Personnel Policy (APM) 010: Appendix B, Statement of Principles: Student Freedom of Scholarly Inquiry

Dear Chair Croughan:

Your request of June 3 sought comments on the final version of the proposed Appendix B, Statement of Principles: Student Freedom of Scholarly Inquiry, of APM 010. The San Diego Division wishes to make no further comments on this proposal, judging that the proposed Appendix has been thoroughly vetted in the earlier rounds of review.

Sincerely,

A handwritten signature in black ink that reads "Daniel J. Donoghue".

Daniel J. Donoghue, Chair  
Academic Senate, San Diego Division

cc: W. Hodgkiss  
F. Powell



UNIVERSITY COMMITTEE ON EDUCATIONAL POLICY (UCEP)  
Stephen R. McLean, Chair  
mclean@engineering.ucsb.edu

Assembly of the Academic Senate  
1111 Franklin Street, 12<sup>th</sup> Floor  
Oakland, CA 94607-5200  
Phone: (510) 987-9466  
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June 24, 2009

MARY CROUGHAN, CHAIR  
ACADEMIC COUNCIL

Re: RE: Proposed Statement of Principles to Append APM - 010, Academic Freedom

Dear Mary,

Although UCEP was not able to meet in person to discuss this proposed appendix to APM – 010, it was circulated among the committee by e-mail and responses have all been positive. Protecting students' rights to academic freedom is a complex issue. This establishes in the APM the principle that student academic freedom derives from that of the faculty. UCEP believes this statement of principles should be added to APM-010

Sincerely,

A handwritten signature in cursive script, appearing to read "Stephen R. McLean".

Stephen R. McLean, Chair  
UCEP

From: Helen Henry [<mailto:helen.henry@ucr.edu>]  
Sent: Tuesday, July 14, 2009 12:22 PM  
To: Janet Lockwood  
Cc: Kenneth Feer; Yale Braunstein; White, Shane  
Subject: APM-010

Dear Janet-

UCFW discussed the draft of APM-010 at its July 10 meeting. In the preamble of the Statement of Principles: Student Freedom of Scholarly Inquiry it is stated:

"The most salient guiding principle that emerged from our deliberations is that academic freedom is conferred in the University of California by virtue of faculty membership. As such, student freedom of scholarly inquiry is ultimately derived from , and protected by, faculty academic freedom".

The question that arises from this statement is whether faculty have obligations relative to the idea that student academic freedom is derived from that of the faculty. The answer to this question should be made explicit in the document, either here in the Preamble, in the body of the text or both.

Thank you for providing the opportunity to review this draft policy.

Helen