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Chair of the Assembly of the Academic Senate
Faculty Representative to the Regents
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

May 8, 2018

JUDITH GUTIERREZ, PRESIDENT
UC STUDENT ASSOCIATION

Re: UCAF Response to UC Student Association Letter on Free Speech and Hate Speech

Dear Judith,

I enclose a statement made by the University Committee on Academic Freedom (UCAF) in response to a request from student representatives on UCAF to respond to your and their jointly authored letter, addressed to President Napolitano and the Board of Regents and dated October 23, 2017.

UCAF's response letter of April 3, 2018 decries the harmful effects of hateful speech by calling upon UC campus administrators to explicitly condemn any such speech expressed on campuses. It highlights the importance of the UC Principles of Community. It explains that those who would exclude, degrade, or ridicule members of the University community are in direct conflict to the purpose of the University, and that such views should not go unchallenged.

Such sentiments reinforce long-established values memorialized by the Academic Senate:

- “We are committed to ensuring that the University remains a place where it is safe to teach and learn and engage in peaceful protest.” ([November 30, 2009](#))
- “We stress the critical importance of promoting a climate of inclusion on all University of California campuses and providing support for the students.” ([February 26, 2010](#))
- “We support the right of free speech and peaceful protest by all members of the University community.” ([November 20, 2011](#))

UCAF's response letter of April 3, 2018 also reaffirms support for constitutionally protected freedom of speech and academic freedom, two pillars of our democracy. Moreover, this UCAF statement is consistent with our prior Academic Senate statements and positions such as the UCAF Statement on the Free Exchange of Information ([June 7, 2017](#)).

The Academic Senate will collaborate with students and administrators of the University to nurture and protect our entire community, especially those who may be more easily denigrated or marginalized.

Please do not hesitate to contact me if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Shane N. White", written over a horizontal line.

Shane N. White, Chair
Academic Council

Encl.

Cc: Academic Council
UCAF Chair Elmendorf
Vice Provost Gullatt
Vice President Holmes-Sullivan
Associate Vice President Griffin-Desta
Assistant Director Heng
Senate Director Baxter
Senate Executive Directors



UNIVERSITY COMMITTEE ON ACADEMIC FREEDOM (UCAF)
Christopher Elmendorf, Chair
cselmendorf@ucdavis.edu

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April 3, 2018

SHANE WHITE, CHAIR

ACADEMIC SENATE

RE: RESPONSE TO UCSA LETTER ON FREEDOM OF SPEECH AND HATE SPEECH

Dear Shane,

Representatives of the UC Student Association (USCA) have asked the University Committee on Academic Freedom (UCAF) to respond to their letter to President Napolitano and the Board of Regents, dated Oct. 23, 2017. The following is our response, which we are providing to the Academic Council along with the UCSA letter for the Council's information. We request that the Council forward this response to the USCA.

UCAF agrees that hateful speech can cause real harm to communities, and to individuals and groups within them, particularly when it is amplified by social media. We also agree that UC campus administrations, in their role as stewards of entire university communities, have an obligation to condemn in explicit terms any hateful speech expressed on campus. Our [Principles of Community](#) demand no less.

UCAF also reaffirms its support for constitutionally protected freedom of speech and academic freedom. Efforts to ensure that the "Heckler's Veto" does not hinder the open exchange of ideas on campus are critical to both free speech and academic freedom. We therefore disagree with some aspects of the UCSA letter.

Those who would exclude or ridicule members of the university community based on race, religion, gender, or any other identity category, and those who stigmatize the scientific methods and the humanistic modes of inquiry on which the educational enterprise depends, are not in sympathy with the purpose of the university. Their views cannot be banned, as hateful speech is generally protected speech under the First Amendment, but neither can they go unchallenged.

One member of UCAF dissents from this statement. In his view, campus administrators should do everything they can to exclude hateful speech from campus, irrespective of First Amendment law.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Elmendorf".

Christopher Elmendorf, Chair
UCAF