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Assembly of the Academic Senate, Academic Council
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

May 31, 2005

ROBERT C. DYNES, PRESIDENT

Re: Academic Senate Resolution on Research Funding Sources

Dear Bob:

I am pleased to inform you that at its May 11, 2005 meeting the Assembly of the Academic Senate adopted the enclosed *Academic Senate Resolution on Research Funding Sources*. The Resolution is an amended version of and supersedes the July 31, 2004 *Academic Council Resolution on Restrictions on Research Funding Sources*. It reflects the outcome of a full Senate review and considerable discussion among faculty members that was carried out over a number of months. I ask that you forward this revised Resolution to the Regents, for their information, and to the Chancellors and Vice Chancellors of Research with the request that it be disseminated to all appropriate individuals or offices on their respective campuses.

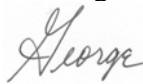
As you may remember, the July 2004 Resolution was originally drafted and presented to the Academic Council by the University Committee on Research Policy (UCORP) as a companion document to their "[Report on Problematic Restrictive Clauses in Contracts, Grants and Gifts for Research](#)." UCORP drafted the Report and the Resolution in fulfillment of a formal charge from the Academic Council to review UC's stance on tobacco funding bans within units of the University, and, more broadly, UC research funding policies and "strings" on research awards. The core argument of the Resolution was aimed at preserving the academic freedom of individual faculty members, and although prompted by faculty votes within individual units of the University to ban "tobacco money," the resolution did not specifically refer to that one source or issue. The Academic Council endorsed both the Report and the Resolution, and they were forwarded to you with the request that they be distributed to the various campus administrations.

Subsequently, though, concerns were raised by some faculty members with regard to both the content of the Resolution and the need for broader consultation on the issues it addresses. The Academic Council felt that these concerns warranted a reconsideration of the Resolution, and therefore in October 2004, sent it out to the Standing Committees of the Assembly and to Divisions for review. Formal responses from all Divisions and from six committees (CCGA, UCAF, UCAP, UCFW, UCORP, and UCPB) showed strong support for the Resolution. Based on this consensus, and taking into account comments indicating the need for some clarifying language, the Academic Council endorsed an amended version on March 31, 2005. In turn, the Assembly's May 11 action adopted the amended Resolution, and simplified its name to the "Resolution on Research Funding Sources."

By adoption of the current version of the resolution, the Academic Senate is expressing its belief that banning certain sources of funds by a majority vote of the faculty within a unit is a fundamental infringement of the academic freedom of the individual UC researcher who may wish to accept such funding and who is otherwise acting in compliance with UC policy. UC policy requires that scholarship be judged solely by professional standards, and the Resolution is aimed at showing that bans based upon judgments regarding the funding source or speculations about how the research might be used, fundamentally interfere with a faculty member's freedom to carry out a research program. The amended Resolution clarifies that the UC Board of Regents have sole authority to set research policy that would ban the acceptance of research funding from a particular source. It also makes clear the right of an agency of the UC Senate to request that the Regents adopt a policy to refuse funding from a particular source, and the path for making such a request.

I know that the administration, the faculty, and a portion of the public have followed this issue with considerable interest, and I am pleased to report that the discussion within the Academic Senate is finally concluded. I do hope that as a product of the collective wisdom of the Academic Senate, the amended Resolution will be viewed as sound in principle and helpful in practice.

Best regards,



George Blumenthal, Chair
Academic Senate

Copy: Academic Council
María Bertero-Barceló, Executive Director

Enclosure: Academic Senate Resolution on Research Funding Sources

GB/bgf

**Resolution of the Academic Senate
On Research Funding Sources
Adopted by the UC Assembly of the Academic Senate
May 11, 2005**

Preamble: This resolution states that no unit of the University, whether by faculty vote or administrative decision, has the authority to prevent a faculty member from accepting external research funding based solely on the source of the research funds. The authority to set such research policy rests with the UC Board of Regents. Nothing in this resolution would prevent individual faculty members from voluntarily eschewing a particular source of research funding. Agencies of the Academic Senate may, through their divisions, propose that the statewide Academic Senate request, through the President, that the Board of Regents adopt a policy to refuse funding from a particular source.

WHEREAS, Only the UC Board of Regents has the plenary authority to establish policies on the acceptance of research funding; and

WHEREAS, Agencies of the Academic Senate may, through their divisions, propose that the statewide Academic Senate request, through the President, that the Board of Regents adopt a policy to refuse funding from a particular source; and

WHEREAS, No Committee, Faculty, or Division of the Academic Senate of the University of California has the plenary authority either to set aside the principles of academic freedom or to establish policies on the acceptance of research funding; and

WHEREAS, Freedom of inquiry is a fundamental principle of the University of California; and

WHEREAS, The University of California faculty code of conduct requires that “[Professors] respect and defend the free inquiry of associates”; and

WHEREAS, The University of California policy on academic freedom requires that scholarship be judged solely by reference to professional standards, and that researchers “must form their point of view by applying professional standards of inquiry rather than by succumbing to external and illegitimate incentives such as monetary gain or political coercion”; and

WHEREAS, The University of California has existing policies that encourage the highest ethical standards in the conduct of research, require disclosure of conflicts of interest, guarantee the freedom of publication, and prevent misuse of the University's name; and

WHEREAS, Restrictions on accepting research funding from particular sources on the basis of moral or political judgments about the fund source or the propriety of the research, or because of speculations about how the research results might be used, interfere with an individual faculty member's freedom to define and carry out a research program; now, therefore, be it

Resolved by the University of California Academic Assembly, That the principles of academic freedom and the policies of the University of California require that individual faculty members be free to accept or refuse research support from any source consistent with their individual judgment and conscience and with University policy. Therefore, a unit of the University may not refuse to process, accept, or administer a research award based on the source of the funds; nor may such a unit encumber a faculty member's ability to solicit or accept awards based on the source of the funds, except as directed by the UC Board of Regents.