

## Letter on Academic Freedom and Instruction

February 25, 2022

*Note: This letter comprises the views of the individual signatories. Because of the urgency of responding to undergraduate students at UCLA, this statement could not be examined or approved through full deliberation of the Senate's councils, committees, and Executive Board. In light of this and, importantly, of discussions being held at the UC systemwide level (see below), this version may be subject to revision. In that case, we promptly will convey any revised version or new documents to USAC and DSU.*

This letter responds to student demands for: 1) the identification of university policies addressing academic freedom; and 2) a policy rationale for why the UCLA Academic Senate cannot mandate universal dual modality instruction. Moving forward, campus Academic Senate leadership looks forward to meeting with student leaders about these issues, as we have committed to doing.

Given the principles and policies of academic freedom, the default position at the University of California is that faculty have autonomy over how they teach. Individual faculty hold professional authority in the delivery of their instruction: “The principles of academic freedom protect freedom of inquiry and research, freedom of teaching, and freedom of expression and publication.” ([APM 010](#))

In addition to being a foundational principle in higher education (e.g. the [AAUP 1940 Statement](#)), academic freedom is defined in Regental policy at the University of California ([UC Regents 1970 Policy on Academic Freedom](#)). It is codified in the systemwide Academic Personnel Manual, principally in [APM-010](#), a systemwide policy issued by the systemwide Provost and Executive Vice President on behalf of the President. **Academic freedom is not based in the policies of any one UC campus, such as UCLA; rather, it is governed by systemwide policy.**

Neither the UCLA Administration nor the UCLA division of the Senate has the authority to constrain the academic freedom of the individual faculty member.

Nonetheless, while the bedrock principle of, and policies regarding, academic freedom across the UC assume the default position of faculty autonomy in the classroom, that autonomy is not absolute. Across the US, academic freedom is bounded by applicable anti-discrimination laws including the Americans with Disabilities Act and Section 504 of the Rehabilitation Act.

Across the UC system the exercise of academic freedom also entails the corresponding duties of professional care when teaching, conducting research, or otherwise acting as a member of the faculty [[APM-010](#)], as set forth in the Faculty Code of Conduct [[APM-015](#)].

Academic freedom is intrinsic to curricula and courses, which are designed and offered by academic programs and individual faculty members. But those curricula and courses are also authorized by the Academic Senate, which is responsible for reviewing and approving them according to rigorous standards (see [Regents Bylaw 40.1](#)).

In March 2020, the pandemic forced Chancellor Block to close the campus to in-person teaching and learning for health and safety reasons on an emergency basis. Subsequently, Los Angeles County public health policies also restricted the campus's in-person activities. To maintain student progress during the emergency, the Academic Senate created temporary guidance for flexible teaching modalities using technology, as well as temporary changes to regulations governing examinations, syllabus revision, P/NP grading options, students' drop deadlines, and so on. When the County and Chancellor deemed it safer to return to in-person teaching, the default in-person format for instruction at UCLA returned to its pre-March 2020 status.

We are in a watershed moment in higher education, as we are learning the lessons of the pandemic, including for instruction. The Academic Council of the systemwide Academic Senate has been taking up questions raised by the systemwide University Committee on Academic Freedom on the issue of whether mandating class recordings is consistent with academic freedom, as well as other issues. UCLA's division of the Academic Senate looks to the systemwide Academic Senate, the systemwide Provost and Executive Vice President, and the Board of Regents as holding authority in this domain. As discussions continue, we will engage actively with USAC and DSU representatives regarding the interpretation of academic freedom and of its implications for the work of individual faculty members and students in the classroom. In the meantime, we will advance best practices to improve instruction: indeed, *we see considerable room for improvement within the current policy framework*. We take it as our duty to work toward and advocate for improved accessibility in instruction.

Jessica Cattelino, Vice Chair/Chair Elect, UCLA Division of the Academic Senate

Shane N. White, Immediate Past Chair UCLA, Division of the Academic Senate