

**UCLA Policy XXX: Public and Discretionary Statements by
Academic Campus Units - Draft for Public
Review**

Issuing Officer:	Executive Vice Chancellor & Provost
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I. PURPOSE AND SCOPE

University community members and Academic Campus Units (ACUs) both enjoy freedom of expression and academic freedom. These are core tenets protected by, and central to, the University. This Policy addresses Public Statements made by and on behalf of ACUs and in particular the protocol for producing and issuing Discretionary Statements.

Most Public Statements made by ACUs pertain to the day-to-day operations of the UCLA campus and unit. Discretionary Statements are Public Statements that do not directly relate to the everyday operational mission of the ACU, but instead address areas of interest related to teaching, research, and the academic mission. Discretionary Statements made by and on behalf of ACUs can, at times, be described as political or controversial to signify that they express opinions on potentially contentious or complex issues. This Policy is focused on the production and issuance of Public Statements, including Discretionary Statements, and their posting on ACU websites. It also offers guidance on posting Public Statements on non-website official university social media accounts.

Discretionary Statements may not represent the views of the entire UCLA campus or even all the members of an ACU. Without appropriate disclaimers, they may be misperceived as representing unanimity of opinion. This Policy strikes a delicate balance between the desires of some in a unit to assert a position as an ACU and the interests of those in the unit who disagree, do not wish to speak, and/or have less status or authority than senior and/or tenured faculty. The expectation is that ACUs will implement this Policy in good faith to be aligned with the principles of transparency, fair process, and academic freedom that are core to UCLA's mission.

This Policy sets forth the requirements for ACUs issuing Public Statements, including Discretionary Statements and provides (a) definitions of the terms used throughout the Policy, (b) a statement explaining the importance and limitations of the Policy, (c) the requirements on issuing Public Statements, including Discretionary Statements, and (d) related references and supporting policies and information. This Policy takes into consideration recommendations from the UC and UCLA Academic Senates (see References).

This Policy applies only to ACUs and does not address statements made by individual University community members or groups of University community members. This Policy does not address the rights of individual University members to express themselves on matters of conscience; those are protected by academic freedom and freedom of speech. UCLA affirms the rights of individual University

members, and of groups of University members, to author and publish statements and circulate them in their own private networks.

For guidance on implementation of this Policy, including posting Discretionary Statements on third party social media platforms, please see URL TBD.

II. DEFINITIONS

For the purposes of this Policy:

Academic Campus Units (ACUs) refer to officially recognized UCLA academic departments or divisions as well as other official academic UCLA entities, including schools, centers, laboratories, institutes, the UCLA Academic Senate, and UCLA Extension. ACUs is a subset of the larger group of units defined as “Campus Units” under UCLA Policy 110.

Public Statements refer to *any* statements made by and on behalf of an ACU that are distributed or posted in a manner accessible by the public. Most Public Statements of an ACU are part of the day-to-day, term-to-term operations of the ACU, including: announcements of curricular offerings, academic talks, events, and conferences; traditional mission statements, or strategic plans; administrative activities, operations or resources; and, news announcing University or campus activities, programs or initiatives that are distributed, disseminated, posted online or otherwise shared via mass distribution with University constituencies or the public.

Discretionary Statements refer to those Public Statements made by and on behalf of an ACU that comment on institutional, local, regional, global or national events, activities, or issues, that are not part of the day-to-day, term-to-term operations of the unit, and that are distributed, disseminated, posted online or otherwise shared via mass distribution with University constituencies or the public. Discretionary Statements do not include messages regarding an ACU’s curricular offerings, academic talks, events, and conferences; traditional mission statements, or strategic plans; administrative activities, operations or resources; or news announcing University or campus activities, programs, or initiatives.

UCLA Domain Name is an authorized external and/or internal electronic address used to identify and locate an internet site or service, such as a web site registered by a Campus Unit, as outlined in [UCLA Policy 411](#). A UCLA Domain Name is not required to have the initials UCLA in the URL for this Policy to apply.

III. POLICY STATEMENT

- A. This Policy identifies requirements needed to protect those who may be affected in the academic community by the production and distribution of unit-wide statements on UCLA Domain Names, and provides mechanisms for minimizing, or at a minimum alleviating, unwarranted or problematic pressures.
- B. The requirements as outlined in this Policy aim to ensure that members of the community associated with the ACU enjoy the freedom to speak or not to speak, to deliberate or not deliberate about issues, where such speech is not a job description requirement, and that their decision whether and how to speak through complying Discretionary Statements is protected from repercussions on-and off-campus. These protections also aim to protect members of an ACU from being misrepresented or misunderstood to endorse a position that they have not chosen to endorse.
- C. Given the complexities associated with ACUs issuing statements on pressing topics, this Policy sets forth requirements (with accompanying guidance) to ACUs developing, posting, or retaining such a statement on a UCLA Domain Name to assure the issuance of such statements is done responsibly and judiciously.

- D. ACUs that intend to produce and post Discretionary Statements must develop procedures that comply with the requirements as outlined in this Policy. It is understood that even as they adhere to this policy, procedures might vary across ACUs and in accordance with an ACU's specific bylaws and faculty governance practices.
- E. Many members of an ACU may wish to support or issue Discretionary Statements. Discretionary Statements do not necessarily represent the views of all members of an ACU, which may be composed of different faculty (ladder-rank, adjunct, clinical, and lecturer), staff, researchers, students, and other affiliates. Other members of the unit may want to disassociate from the support or issuance of Discretionary Statements. All members' decisions and stances should be respected.

IV. REQUIREMENTS FOR POSTING PUBLIC STATEMENTS

ACUs that intend to produce and post Public Statements including Discretionary Statements must comply with the following requirements.

A. Requirements for Public Statements

1. Public Statements made by ACUs must comply with University policies and applicable laws pertaining, but not limited, to:
 - a. Conflicts of interest.
 - b. Anti-violence, anti-discrimination, and anti-harassment.
 - c. Use of university technology and electronic communications.
 - d. Privacy and personal information, including without limitation the university's policies regarding FERPA and HIPAA.
 - e. Intellectual property, including policies on copyright and use of the university's names and assets.
 - f. University codes of conduct, including without limitation the Faculty Code of Conduct.
 - g. Solicitation of funds or fundraising campaigns (contact your Unit's Development Officer).
2. Per A.1., Public Statements that do the following may not be issued by ACUs:
 - a. Promote, endorse, or oppose political campaigns or candidates for elected or appointed government office, or comment in support of or in opposition to specific ballot referenda.
 - b. Threaten, harass, or discriminate against individuals or groups of individuals, including bias statements that target protected classes.
 - c. Misuse university technology or violate the university's policies on electronic communications.
 - d. Release private or confidential information, including, but not limited to, information related to the academic records, health status or personnel records of individuals at the university.
 - e. Violate the rights of an individual or an organization to its intellectual property.
 - f. Violate the University's codes of conduct.

B. Requirements for Discretionary Statements

ACUs that intend to produce and post Discretionary Statements must develop, publish, and implement procedures that outline the process of producing, posting, and archiving Discretionary Statements. ACUs have substantial discretion about the details of these procedures, but the procedures must include the requirements as outlined below.

1. Producing Discretionary Statements

The procedures developed by an ACU for producing Discretionary Statements must:

- i. Articulate the process of how members of an ACU or an academic subgroup propose, write, and vote on Discretionary Statements.
- ii. Specify which subgroups are eligible to post, e.g., ‘faculty,’ ‘lecturers,’ ‘staff’ ‘graduate students’ ‘ladder faculty,’ ‘members of the Academic Senate,’ etcetera, if the ACU permits members of a subgroup to post statements. Subgroups must not be defined by the content of their message because it is too difficult to protect the anonymity of members and nonmembers of message-based subgroups. Self-identified message-based subgroups may circulate statements on their own initiative.
- iii. Identify by position, the members of the ACU, and at a minimum must include: all full-time faculty who are members of the ACU (including lecturers, adjunct faculty, clinical faculty, and other non-ladder faculty), all full-time researchers, postdoctoral fellows, post-graduate trainees (including medical residents and fellows), all full-time staff members, and any other full-time employee of the ACU. At their discretion, ACUs may also delineate part-time faculty, part-time graduate student employees, and other part-time employees as members of the academic unit for purposes of the production of statements on behalf of the ACU.
- iv. Delineate steps to be taken to ensure that *all members* of that ACU have a meaningful opportunity to comment on proposed drafts of the statement and to vote on the Discretionary Statement that speaks on behalf of the ACU.
- v. Delineate steps taken to ensure that *all members* of an ACU subgroup have an opportunity to comment on proposed drafts of that statement and to vote on the Discretionary Statement that speaks on behalf of a subgroup of the unit (e.g., the ladder faculty). Discretionary Statements on behalf of ‘the faculty’ must be produced through a process that, at a minimum, includes *all* full-time faculty members, including adjunct professors, clinical professors, and lecturers.
- vi. Specify how proposals for Discretionary Statements will be made and publicized to the members of the ACU or relevant subgroup.
- vii. Specify a sufficient period of time and a venue (whether virtual or in-person) for all members of the represented group to comment on the proposal prior to a vote.
- viii. Contain meaningful opportunity for all members of the represented group to engage *as well as to decline to engage* in discussion, comment, and voting on the Discretionary Statement. Meetings concerning the creation, or the endorsement of statements should not overlap with standing meetings concerning the standard business of the ACU (or its subgroup). No member of the unit may be required or expected to attend a meeting about the unit’s potential endorsement of a statement.
- ix. Vote anonymously on a proposed Discretionary Statement and whether a person votes and how they vote should be anonymous.
- x. Ensure that the Discretionary Statement represents the relevant unit or group. The mechanism for voting on the endorsement of the statement must occur outside of a meeting, so that those who do not attend may have the opportunity to vote.
- xi. Specify what percentage of the unit’s members (or specified subgroup’s members) must endorse the statement for the statement to be issued on behalf of that group. At a minimum, a majority (i.e., more than 50%) of all those *eligible* to vote must approve the statement for it to be issued in the name of the ACU or subgroup, as applicable. Academic units may, at their discretion, specify that a defined supermajority must approve a statement for it to be issued. To avoid the generation of incentives to identify and pressure holdouts, ACUs and subgroups must not require unanimity as a condition of the posting of a statement.

2. Posting Discretionary Statements

The procedures developed by an ACU for posting Discretionary Statements must:

- i. Identify the unit or the subgroup that represent and had an opportunity to vote on the statement, e.g., ‘...on behalf of the department,’ ‘on behalf of the faculty’ or ‘on behalf of the ladder faculty.’ The identification of the relevant group should be as specific as possible to avoid inadvertent misrepresentation of members of the community who had no meaningful opportunity to be heard and to vote on the statement.
- ii. Not list the names of signatories for Discretionary Statements and may not specify that the statement received unanimous endorsement (even if it did). These strictures are adopted to avoid the generation of incentives to identify and pressure holdouts.
- iii. Include a disclaimer on the webpage where Discretionary Statements are posted that such statements do not represent the University in compliance with UCLA Policy 110.
- iv. Link the procedures for the production of Discretionary Statements on the webpage where such statements appear. That link should be provided in the content of the statement itself wherever posted, e.g., on a webpage or third-party external social media platform. Additional guidance on posting on third-party external social media platforms is available at [URL TBD](#).
- v. Remove automatically all statements at the end of the academic term associated with the ACU. This allows for change and avoids the inadvertent misrepresentation of new members of the community. Renewal of any statement must follow the procedures associated with the production of statements above.

3. Archiving Discretionary Statements

- i. The procedures developed by an ACU for archiving Discretionary Statements must specify whether the ACU will archive past statements and if so, where and for how long. Such procedures will be consistent with the UC Records Retention Schedule.

V. REFERENCES

1. UC Senate Materials, [including June 2022 recommendations](#)
2. UCLA Senate Materials, [including November 2023 documents](#)
3. UCLA Policy 110 on University Names
4. UC Electronics Communications Policy
5. [Guidelines for Social Media Participation on UC Office of the President Sites](#)
6. UCLA Policy 411
7. UC [Policy on Relations of University Staff Members with State and Federal Officials](#)
8. UC Records Retention Schedule

Issuing Officer

/s/ Darnell Hunt

Executive Vice Chancellor and Provost

**Questions concerning this policy or procedure should be referred to
the Responsible Department listed at the top of this document.**

[END POLICY XXX]

GUIDANCE (to be linked on a separate URL)

This guidance offers best practices to supplement the rules delineated in UCLA Policy **XXX**. ACUs are encouraged to refer to these points when developing the procedures for production and dissemination of Public Statements. Furthermore, ACUs are encouraged to consider carefully whether a collective Discretionary Statement is necessary in the situation, given the costs of their production as well as the potential risks of intra-unit conflict and the misattribution of statements to members of the community who do not wish a public association with those statements. Self-circulated statements by individuals and self-organized subgroups in any unit may often adequately serve to communicate important messages without the use of a Discretionary Statement. Before issuing any Public Statements related to pending or proposed state or federal legislation, ACUs should coordinate with the university through appropriate channels, including through the UCLA Government and Community Relations office.

Production

1. *Regarding point IV.B.1.i of the Requirements:* It is recommended that Discretionary Statements by Deans, Chairs, and other campus leaders specifically make clear that those statements are issued by those leaders only and are not on behalf of the unit as a whole or its members.
2. *Regarding point IV.B.1.ii of the Requirements:* It is recommended that units be cautious when considering procedures authorizing subgroup statement production and posting given the potential difficulties of allowing every subgroup in a unit to post statements as well as the difficulties of privileging some subgroups over others. Further, subgroup statements raise the potential for statements that conflict in content with a statement of the broader academic unit.
3. *Regarding point IV.B.1.v of the Requirements:* If a statement speaks on behalf of a specific subgroup of the unit (e.g., full-time faculty including ladder faculty, adjunct

professors, clinical professors, and lecturers), members of the wider academic unit should be informed of the proposal and consulted about whether and how the issuance of the statement might affect them.

4. *Regarding point IV.B.1.xi of the Requirements:* It may be desirable, as a general matter, to ensure that any statement by an academic unit reflects a broad consensus that is not in tension with the sentiments of any significant subgroup of its members. It is recommended that academic units (and subgroups) adopt supermajority requirements for the posting of statements. A supermajority requirement may also reduce the occasions in which subgroups are motivated to issue their own statements that conflict with the unit's statement. The possibility of conflicts and the desirability of avoiding them may be a reason for academic units to adopt supermajority requirements for the posting of subgroup statements.

5. Where time permits, ACUs considering posting a statement about an especially controversial matter may wish to consult with the Senate Committee on Academic Freedom for guidance about wording and inclusive consultation practices.

Posting of Statements

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1. *Regarding point IV.B.2.i of the Requirements:* While statements must identify the unit or the subgroup that they represent with specificity to avoid inadvertent misrepresentation of members of the community, units should be cautious about issuing statements on behalf of a subset of the faculty, e.g., 'the ladder faculty' or 'the members of the Academic Senate.' These delineations may not be well-understood by students and the public, raising concerns about inadvertent misrepresentation of other members of the faculty.

2. *Regarding point IV.B.2.iii of the Requirements:* It is recommended that statements should not appear on the landing page for an academic unit but that units designate a separate page for 'statements and opinions.'

Removal and Archiving of Statements

1. *Regarding point IV.B.3 of the Requirements,* it is further recommended that academic units decide, through designated procedures, how and where to archive previous statements, and for how long such statements will be posted.

Social Media

In addition to their UCLA Domain Names, ACUs often maintain social media accounts on a variety of external third-party social media platforms (e.g., Twitter, Facebook). This policy was developed with UCLA Domain Names in mind, but the rules and guidance articulated above should also inform the use of social media platforms by ACUs when disseminating collective statements. The production and posting of such statements must comply with the requirements

articulated in the policy and other related UC guidance. Moreover, ACUs that contemplate the use of social media platforms to disseminate collective statements should also be mindful of other considerations introduced by use of such platforms. Specifically, the ACU itself will likely have very little control over its message or content once it is released into a medium in which interactivity, commenting, reposting and other types of public engagement may be the norm.

To manage the unpredictability and lack of control associated with dissemination through external third-party social media sites, the following guidance is recommended:

1. ACUs should establish norms and practices for use of social media accounts representing them. These norms and practices should be clear, understandable, and accessible to unit members who wish to review them. They should include a clear designation of who in the unit is empowered to communicate on social media on the Unit's behalf and what plan is in place for the monitoring and archiving of the post.
2. Both in crafting a policy and posting a Discretionary Statement, ACUs should consider: the nature, audience, and particular use of particular platforms; the tools and features of a particular platform; the likelihood that shared content may be remixed, repurposed or decontextualized on a particular question.
3. When using an academic unit's social media account for the dissemination of a Public Statement, the social media posting should refer to the statement hosted on the academic unit's webpage both by name and via URL.
4. Postings should avoid truncating, quoting from or posting only portions of a Public Statement; instead, postings should refer others back to the full statement to avoid a loss of context.
5. Turn off comments for a post linking to an ACU's Public Statement; treat the posting as an announcement and reference to the full statement rather than an opportunity for debate by unknown parties, which can quickly spiral out of control.
6. Decide which platforms to use to disseminate the ACU's Public Statement, with the knowledge that some may be better-suited (in terms of e.g., functionality, media type and likely audience) to this type of distribution than others.
7. Ensure consistency of messaging across platforms.