April 9, 2024

Andrea Kasko, Chair
Academic Senate

Re:  (Systemwide Senate Review) Regents Policy on Public and Discretionary Statements by Academic Units

Dear Chair Kasko,

The Faculty Welfare Committee (FWC) circulated the Regents Policy on Public and Discretionary Statements by Academic Units as an independent review because of the accelerated timeline needed for comment. This policy was circulated electronically, and members commented by email, with no formal vote on a specific motion.

Members had a variety of opinions, ranging from finding the current version of the policy less objectionable than the previous version to remaining concerned about the silencing effect on departments that have social justice at the center of their teaching and research mission. While some of us are sympathetic to the current plight of leadership, the idea of censoring academic freedom to protect the UC “brand” remains chilling.

All members of the FWC who commented are concerned that the University of California should not be subject to policies designed by the Regents (themselves political appointees) and would have appreciated more context about revising this policy. The FWC remains concerned that this policy is an overreaction to specific academic units showing poor judgment in discretionary statements, thereby creating new and inappropriate policies to discipline faculty.

FWC members had the following specific comments:

1. The definition of “Academic Campus Unit” continues to be too broadly defined and thus remains unacceptable. Specifically, it is unacceptable to define a “laboratory” as a unit since this includes many personal websites of faculty members in STEM. This policy would limit their free expression and create a new administrative burden. It also remains unclear whether individual faculty websites hosted on UCLA servers are, or are not, included in this policy. The FWC categorically rejects this policy if it targets individual faculty members.

2. The definition of “Discretionary Statement” continues to be too broadly defined. As written, a discretionary statement would include a comment on “institutional, local […] events, activities or issues” but not “news announcing University or campus activities.” There is considerable overlap between those two statements. What if the news about campus activity announces a student protest or a seminar/paper on a controversial topic that the Regents do not approve of?
3. More consideration needs to be applied to departments whose research/mission is directly impacted by specific political events. A number of departments, such as the Ethnic, Gender, and Queer Studies departments, see social justice as core to their departmental identity and research. These departments represent the constituencies most likely to be harmed by the imposition of silence and must be allowed to continue exercising free speech.

4. There was support for requirements for disclaimers. These guidelines might help departments navigate when their faculty disagrees over the publication of discretionary statements. The requirement that discretionary statements be on a separate page would presumably not preclude a large link on the home page to the discretionary statement.

We thank you for the opportunity to opine. If you have questions, please do not hesitate to contact me at butlersj@ucla.edu or via the Committee analyst, Renee Rouzan-Kay, at rrouzankay@senate.ucla.edu.

Sincerely,

Samantha Butler, Chair
Faculty Welfare Committee

cc: Kathleen Bawn, Vice Chair/Chair-Elect, Academic Senate
Jessica Cattelino, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Renee Rouzan-Kay, Senior Policy Analyst, Faculty Welfare Committee
Members of the Faculty Welfare Committee