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June 19, 2009

Mary Croughan
Chair of the Academic Council
University of California

In Re: Proposed Statement of Principles for Freedom of Student Scholarly Inquiry (APM 010).

Dear Mary,

Thank you for the opportunity to review the revised Principles for Student Freedom of Scholarly Inquiry. When the UCLA Academic Senate first received this matter in the 2005-06 Academic Year, we vetted and endorsed the proposal (Please see the response from then-Senate Chair Adrienne Lavine). Upon receipt of the current draft, it was reviewed for consistency with UCLA's previous position. Having found no significant differences, it was presented to the Executive Board on its consent calendar and approved. Therefore, I am pleased to report that the UCLA Academic Senate raises no objections to the proposed revisions to APM 010.

Please do not hesitate to contact me if I can be of further service.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael S. Goldstein".

Michael S. Goldstein
UCLA Academic Senate Chair

Cc: Martha Kendall Winnacker, Executive Director, Systemwide Senate
Jaime R. Balboa, Chief Administrative Officer, UCLA Academic Senate



ADRIENNE LAVINE, CHAIR
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July 10, 2006

JOHN OAKLEY
CHAIR, UC ACADEMIC SENATE

Dear John:

Thank you for the opportunity to review the proposed Student Freedom of Scholarly Inquiry Principles. The statement was sent to all of the standing committees of the UCLA Divisional Senate along with an invitation to opine on the matter. Four committees discussed the Principles in their meetings: Executive Board, Council of Faculty Chairs (CFC, consisting of all the FEC Chairs), Undergraduate Council (UgC), and Committee on Academic Freedom (CAF). The latter two provided written responses which are attached. Executive Board and CAF endorsed the statement in whole. The CFC and UgC were generally supportive of the statement, but had suggestions for its improvement, as summarized below.

Council of Faculty Chairs

While most members of CFC endorsed the statement in its entirety, a minority opinion was expressed that the statement did not go far enough in placing the responsibility for protecting students' freedom of scholarly inquiry in the hands of the faculty. As one member expressed after the meeting, "It is academic misconduct for a faculty member to consider a student's agreement or disagreement with the faculty member's when evaluating a student's work, or to treat academically respectable conflicting viewpoints with hostility or contempt in the classroom. It is the responsibility of each department and school, and of the Academic Senate at each campus, to establish procedures under which a student who believes that his or her academic freedom, or that of other students, has been violated by a faculty member can have that grievance heard by an impartial body with the power to vindicate the student's rights." Of course procedures *do* exist for bringing charges against a faculty member for violating the Faculty Code of Conduct. But I believe there is an important question inherent in this CFC member's comments: Do existing procedures truly protect students' freedom of scholarly inquiry? I will return to this question in the last paragraph of this letter.

Undergraduate Council

Several UgC members thought the statement should emphasize that students' academic freedom "should not be construed as adversarial to the faculty from which it derives."

UgC members commented that "the faculty's own academic free speech rights in the classroom are not absolute, especially in situations where controversial opinions are not germane to the subject of a course." I think this is an important point; the Faculty Code of Conduct does include as unacceptable conduct, "significant intrusion of material unrelated to the course." I believe that when a faculty member expresses "controversial opinions ... not germane to the subject" it can create an environment in the classroom in which students feel that they cannot express their own opinions without fear of reprisal. For this reason, I believe this principle bears repeating in the Student Freedom of Scholarly Inquiry Principles.

UgC felt that the issue of students' intellectual property rights (mentioned on page four of the document) should not appear in a statement about academic freedom.

Finally, I would like to return to the issue of faculty responsibility for protecting students' rights in the classroom. I have heard from students who claim that they have to regurgitate their instructor's opinions in order to get a good grade; other faculty members with whom I've spoken have heard similar things from students, including anecdotes about students having received poor grades when they expressed conflicting opinions. There is no way of knowing whether these student reports are accurate, but the fact that students believe this is in itself a serious problem. We have procedures by which students can charge faculty with violating the Faculty Code of Conduct; I doubt that most students are aware of those procedures and I suspect that most students would feel cowed by them. Therefore, I would like to support the minority view expressed in the Council of Faculty Chairs. That is, I recommend that the Principles go even further than stating that "the faculty have the major responsibility" to protect students' rights. I suggest that the Principles include a statement that faculty are responsible for establishing and implementing procedures that protect students' rights as articulated in the Principles, and that those procedures should not place an unrealistic burden on the students. I would like for this to be communicated to UCAF for its consideration.

Thank you for your consideration of these comments.

Sincerely,



Adrienne Lavine
UCLA Divisional Senate Chair

Cc: Vivek Shetty, Vice Chair UCLA Divisional Senate
Kathleen Komar, Immediate Past Chair UCLA Divisional Senate
María Bertero-Barceló, Systemwide Senate Executive Director
Jaime Balboa, CAO UCLA Academic Senate