

**COMMITTEE ON ACADEMIC FREEDOM
ANNUAL REPORT TO THE RIVERSIDE DIVISION
December 6, 2016**

To be received and placed on file:

The Committee on Academic Freedom is an important part of faculty governance and collegial responsibility in the University of California system. As a committee of the Riverside Academic Senate, Academic Freedom is appointed by the Senate's Committee on Committees and consists of five members of the Division, including as ex officio the Chairs of the Committee on Privilege and Tenure and the Committee on Faculty Welfare. The Committee is responsible for reporting to the Division any conditions within or without the University that in the judgement of the committee may affect the freedom of the academic community at large. It is understood that academic freedom includes, but is not necessarily limited to, the free inquiry and exchange of ideas, the right to present controversial material relevant to a course of instruction, and the freedom to publish or disseminate controversial information and perform research in controversial areas. It is also understood that academic freedom is to be conjoined with academic responsibility; it is to be exercised in accordance with standards appropriate to the relevant scholarly disciplines.

The Committee on Academic Freedom continued its active participation on the systemwide University Committee on Academic Freedom (UCAF). The 2015-16 UCAF representative was Ward Beyermann, who updated committee members of the issues under discussion at the statewide level.

The Committee on Academic Freedom conducted committee activities via email and met three times during the 2015-2016 academic year, undertaking the following actions:

In accordance with Division Bylaw 8.2.5, the Academic Senate Committee on Academic Freedom adopted the following conflict-of-interest statement for the 2015-2016 term:

If a member of the Academic Freedom Committee believes that a conflict of interest exists for him/herself or for another person on the committee including any action or discussion involving their current or former spouse, partner or family member, that member should call the possible conflict to the attention of the chair. The chair will convene the committee, except for the individual with the possible conflict, and those present will decide by majority vote if a conflict exists. If the decision is affirmative, the individual with the conflict will leave the room during discussion of the conflicted matter and will not vote on that matter.

If the chair is the individual in question, he/she will appoint an acting chair to consider the matter. The committee may ask the person in question to testify, but the person would not be present at other parts of the discussion or at the vote.

In keeping with its charge to assist in the education of the academic community regarding the rights and responsibilities relating to academic freedom, the Committee conducted a review of its bylaws and communicated a statement of its duties and mission to the general UCR academic community via the Senate email.

In keeping with its charge to evaluate and propose revision as needed to current institutional policies as they might relate to academic freedom, the Committee considered the following Campus and System-wide issues:

Proposed Revisions to CHASS Bylaw HS4.1

The Committee on Academic Freedom was asked to comment via email on the proposed revisions to CHASS Bylaw HS4.1 which clarifies that ex officio and student members do not hold voting rights. The Committee found the suggested changes to be reasonable and approved of the proposal without further recommendations.

Academic Senate Consultation on Professors Assigning Their Own Texts to Students

The Committee on Academic Freedom was asked to review and opine on UCR's position regarding the requirement of a text authored by the faculty member teaching the course and measures that should be in place to avoid the conflict of interest or appearance thereof.

The Committee on Academic Freedom discussed the issue brought up in the memo from Ameae Walker, Vice Provost for Academic Personnel, regarding instructors assigning their own textbooks. While the committee understands the concern over a conflict of interest, possibly associated with the financial benefit from royalties, when an instructor assigns their own material, the academic freedom of the instructor to use whatever material deemed appropriate in teaching the course has priority. In some cases, the instructor may be the leading authority in a subject, and it would be a disservice to the students to be denied access to this resource. A monetarily driven motivation to assign one's own textbook is weak because the fraction of revenue from that class is usually very small for commercially produced resources.

CAF had three recommendations regarding this issue. First, an instructor's right to assign the textbook or other material thought to be important must not be infringed. Second, when this material is not commercially produced, we recommend the costs charged to the students be limited to covering just the expenditures for production and distribution. Third, we recommend the University explore mechanisms that could prevent or divert royalties associated with commercially produced material sold in an instructor's own course.

Cyber-Security and Network Monitoring Initiative

In response to Senate Chair Wudka's request for advice on whether or not it is advisable to distribute the letter from VP Rachel Nava to all faculty, the Committee decided to formulate its own statement on the issue from a faculty perspective with background information and concerns that have developed on the Berkeley campus. In addition, the Committee prepared a list of specific questions for UCR's committee on computing to seek clarification on current and future plans for installing network monitoring equipment on the UCR campus. The Committee focused on two main issues. The first being the lack of the Senate and faculty voice in the decision making process, and second, how does this impact academic freedom, which includes the following questions: In what way is the network being monitored, who has access to this information and how will this information be used? To gain a better understanding of the cybersecurity and network monitoring initiative at UCR, the Committee interviewed Chuck Rowley, Associate Vice Chancellor

Computing & Communications and Ron Coley, Vice Chancellor Business Administrative Services. There seemed to be some consensus on the following points.

1. Some form of network security is necessary for protection against hostile cyber threats and to ensure the privacy of sensitive data for the UC community and external groups that have entrusted the UC system.
2. While a response to the UCLA cyberattack was required, the manner by which it was executed is troubling. The lack of consultation with the faculty and the Senate early on in the process is a violation of the openness and transparency at the foundation of shared governance. Conciliation is particularly important in this case because of the potential for exploitation of this information to restrict academic freedoms even if it is unintentional. This concern far out ways the challenges of conducting a network surveillance program in a transparent fashion.
3. This was a quickly evolving issue, and we are reliant on what the administration tells us regarding the system and how the information collected will be used. The technical complexity makes this even more true. The meeting with Chuck Rowley and Ron Coley was informative. The consequences of network monitoring depend heavily on the principles and philosophy of the people responsible. We have an understanding of what these are with our local administrators, both from their words in the form of policy documents and their actions. Much of this is posted on Computing and Communications website. Both Chuck Rowley and Ron Coley reiterated the importance and sensitivity of this issue in an academic environment. It was also clear that the UCR administration and faculty have little influence on what is done outside of the campus where similar principles may not exist. More participation by UCR in network security at the system-wide level may be something the Division should consider advocating. The other surprising revelation is that some units within UCR are monitoring pieces of the network, largely without the oversight from C&C and possibly the protections that C&C's policies provide.

Student Conduct and Academic Integrity's Policy on Student Classroom and Course-Related Behavior (i.e., disruptive students)

The Committee reviewed the draft guidelines presented on the student conduct website to see if the document presented any issues of concern on Academic Freedom. A majority of the committee felt that the document provided a simple resource for guidance and supported the contents as presented. CAF sent a statement to Senate Chair Wudka stating its support and asked that the Student Conduct Office finalize the document posted on its website.

Proposed Changes to iEval

iEval is a tool used to collect student evaluations of teaching. The submitted report identifies current issues and possible improvements.

The Committee considered the proposal to fall outside its charge and elected not to opine.

Report from the Joint Committee of Administration and Academic Senate

President Napolitano established the Joint Committee of the Administration and Academic Senate to review the disciplinary processes for faculty related to sexual violence, sexual assault and sexual

harassment. She tasked the Joint Committee with creating recommendations around the following areas: 1) investigation, adjudication and sanctions processes in cases involving faculty, 2) University policies and procedures, 3) reporting mechanisms for all members of the University and 4) interim measures. The report provides draft recommendations around these areas.

The Committee considered the report to fall outside its charge and elected not to opine.

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