

**COMMITTEE ON ACADEMIC FREEDOM
ANNUAL REPORT TO THE RIVERSIDE DIVISION
December 5, 2017**

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 2016-17 UCAF representative was Emma Aronson, 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 two times during the 2016-2017 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 2016-2017 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:

Proposal for Pilot Program for Internationalizing Undergraduate Students' Learning Experience at UCR

The Committee considered the proposal and requested that the policy clarify how diversity within these programs will be maintained. In particular, the policy should be amended to define how students of a diversity of economic backgrounds can be included.

Consultation on Abusive Conduct and Bullying Guidance and Statement

The Committee considered the proposed statement and recommended adding additional guidance to the document stating "While limiting the above actions may be appropriate to reduce bullying in the workplace, care should be taken not to affect academic freedom."

Endowed Chair Proposal for the Shrimad Rajchandra Endowed Chair in Jain Studies

The Committee reviewed the documents supporting the proposed establishment of the Shrimad Rajchandra Endowed Chair in Jain Studies. As presented, CAF was unable to endorse the proposal and respectfully requested the following concerns be addressed:

The wording in the proposal did not guarantee academic freedom and appeared to support proselytizing rather than academics. The proposal did not contain any academic or critical components. As a result, CAF suggested that more academic language be added to the second paragraph of section II. A. before "its fundamental principles". For example, this language may include offering courses on critical inquiry, critical understanding, comparisons to the study of other religions, etc. In addition, CAF recommended removing the word "promote" and replacing it with "provide opportunities for".

II. Purpose and Use of Endowment

A. Second paragraph

"The endowed chair will promote the study of Jain Religion to students at all levels at UCR, offering courses on its fundamental principles, such as Ahimsa (non-violence), Aparigrah (non-possessiveness), and Anekantvad (pluralistic perspective) while examining their relevance and implication for the modern society. An important responsibility of the Chair holder will include engaging students in exploring the practical significance of such principles for enduring peace, social harmony and ecological sustainability."

Members further expressed serious concerns over the language found in Exhibit A Stewardship Agreement that suggested the donors have a strong involvement in the Chair recruitment process. CAF requested Peter Hayashida's office provide copies of the previous draft proposals to the committee in order to evaluate how the current language was derived.

It is CAF's understanding that UCI recently established an Endowed Chair in Jain Studies. To provide more substantial recommendations, CAF respectfully requested a copy of UCI's approved agreement for the comparison of the requirements presented in the UCR proposal.

The Committee is was interested in learning if Jainism is being promoted at other UC's apart from UCR and UCI.

GSOE Bylaw Change E4.3 and E4.4

The Committee was asked to comment on the proposed GSOE bylaw change. The Committee found the review item to be outside its purview as the implication of the proposed changes not to have a direct bearing on academic freedom. Consequently, the Committee chose not to opine.

The Committee considered, but offered no comments on the following campus review items:

Proposed Addition to Riverside Divisional Bylaw 1.2

Proposed Change to CoDEO Bylaws 8.6.1 and 8.6.2

Request for Input on the Campus Visiting Dignitary Protocol Manual

Request from the Special Committee regarding the Provost

Draft Revised Presidential Policy on Electronic Information Security (IS-3)

The policy provides a security framework that protects UC's Institutional Information and IT Resources from accidental or intentional unauthorized access, loss or damage, while preserving UC's collaborative academic culture. It is modeled on a recognized set of best practices and security controls from the International Organization for Standardization (ISO). Use of a standards-based approach is crucial for UC to obtain cybersecurity insurance, take advantage of vendor services based on these standards, and ensure faculty eligibility for certain federal research contracts that deal with Controlled Unclassified Information (CUI).

The Committee considered the proposed policy and did not think the current form of the written policy is well-crafted enough to be effectively evaluated in regards to Academic Freedom. Further, the Committee supported the statement and concerns expressed by the Systemwide Committee on Faculty Welfare in regards to the proposed policy.

Proposed Draft Presidential Unmanned Aircraft System Policy (UAS)

The Policy is to establish minimum standards for the safe use and operation of UAS and Small Unmanned Aircraft Systems (SUAS), including drones and model aircraft, on any University Location or at any Authorized University Activity. This policy requires that all UAS operations are performed in a manner that mitigates risks to safety, security, and privacy, and ensures compliance with the Federal Aviation Administration (FAA) Modernization and Reform Act of 2012 (Public Law 112-95) and all applicable laws.

The Committee discussed the proposed draft policy and members expressed concern over the need to require a flight plan in advance of using a UAS which may inhibit research creativity and environmental issues that take place in the spur of the moment. The Committee suggested the policy stay within FAA guidelines, but allow for data flights to be obtained for a range of locations rather than for specific coordinates. The Committee does not wish to place an undue burden of specificity on faculty, but to minimize the red tape that would prevent research activities.

Proposed Presidential Policy on Export Controls

This Policy is to assure compliance with U.S. export control laws and regulations. Federal export control laws and regulations restrict the transfer of specific items, information, and/or services for reasons of national security or trade protection.

The Committee considered the proposed policy and noted the precise limits of what knowledge and technology would be prohibited from transfer, and to whom, should be more clearly explained to evaluate the impact on academic freedom.

Proposed New Draft Presidential Policy on International Activities

The Committee was asked to review and opine on the proposed New Presidential Policy on International Activities with regards to changes that may impede academic freedom. The Policy is new and supersedes the 2005 Guidelines for the Establishment of Foreign Affiliate Organizations and Foreign Operations. The Policy sets forth the underlying principles that should govern activities conducted by UC faculty, students, and staff at foreign sites and in furtherance of UC's global engagement. It also outlines the issues to consider when engaging in such activities and the approval authority levels for international activity proposals.

The Committee discussed the proposed changes and offered the following comments: Members were of the understanding that only formal and financial collaborative contracts between the UC and Universities would fall under this policy and that proposed changes do not add new levels of approval beyond what are already in place. Rather the policy provides flexible language to relieve the University of legal responsibility for the engagement in contracts that may not have received prior approval.

To alleviate confusion, the Committee recommends language be added to the policy to clarify the scope of international activities and state that approval by an Executive Office would only be required when a formal contract is involved. Clarification should also be added to indicate that individual conferences or co-collaborations between faculty members are not covered by this agreement, but that faculty are encouraged to notify their campus risk officer when they plan to travel abroad.

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