



CHAIR, ACADEMIC SENATE
RIVERSIDE DIVISION
UNIVERSITY OFFICE BUILDING, RM 225

DYLAN RODRIGUEZ
PROFESSOR OF ETHNIC STUDIES
RIVERSIDE, CA 92521-0217
TEL: (951) 827-6193
EMAIL: DYLAN.RODRIGUEZ@UCR.EDU

May 15, 2017

Jim Chalfant, Chair, Academic Council
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200

RE: (Systemwide Senate Review) Proposed Presidential Policy on Export Controls

Dear Jim,

The UCR Division Executive Council and several Divisional Senate Committees discussed the Proposed Policy and offer the following feedback.

Executive Council engaged a significant discussion on this matter and discussed a number of matters. There were general concerns regarding the potential over-reach of the Proposed Policy in possible and potential abrogation of faculty rights and privileges, including the possibility that the policy could lead to forms of discrimination and racial profiling on campuses. There would need to be appropriate training, staffing, and alert time for faculty that would be affected by this policy. Lack of proper training of faculty and staff could delay research out of fear of breaking the law or being out of compliance with policy. Council also suggests that there be a dedicated staff person at UCOP or on each campus to adjudicate issues that could arise related to this issue. One Council member suggested creation of a Q&A form similar to the APM 025 Conflict of Commitment form.

The Committee on Research offers two suggestions: first, that the policy should be managed at a systemwide rather than campus level in order to maintain consistence; second, that there an appeals process should be created to deal with any appropriate exceptions to the policy. Graduate Council chose not to provide an opinion, citing its lack of expertise in the areas covered by the Proposed Policy. The Committee on International Education is generally supportive of the policy, and notes that the absence of specific policy prescriptions can facilitate robust future engagement with the Academic Senate on balancing legal compliance and Academic Freedom.

The Committee on Library and Information and Technology comments on two issues. First, the Proposed Policy makes repeated reference to “training” as a solution for actual and potential problems; the Committee is concerned that faculty are being asked to devote too much time to peripheral matters, and that requiring more training on a matter that concerns only a small number of faculty members is not an efficient use of their time. Training should be required of a focused number of people. Second, there were questions regarding the distinction between and possible conflation of “source code” and “object (executable) code” in the writing of the policy, particularly on pgs. 3-4 and 11.

Sincerely yours,



Dylan Rodríguez

Professor of Ethnic Studies and Chair of the Riverside Division

CC: Hilary Baxter, Executive Director of the Academic Senate
Cherysa Cortez, Executive Director of UCR Academic Senate Office