March 6, 2024

James A. Steintrager, Chair, Academic Council
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200

RE: Proposed UC Regents Policy on Use of University Administrative Websites

Dear Jim,

The UC Riverside Academic Senate Executive Council engaged in thoughtful and rigorous discussion regarding the subject proposed Regent’s policy along with the response comments from local committees. These are attached.

The Executive Council appreciated the linked and attached Academic Unit Guidance for Issuing Public Statements Using University Websites from the University of Colorado and recommend its review by the Regents should such a proposed policy regarding University websites go forward. Two salient points from Council’s discussion are (1) the necessity of clear definitions around potentially sanctionable text…”if we cannot discuss openly at the University, then where and when can we?” and (2) that instead of a policy, the proposed document best serves the University as a statement of principles or guidelines, echoing the recommendations issued by the Council in summer 2023 as an alternative to a regental policy.

I also call attention to our campus UCR Principles of community which is linked herein and attached.

I request that these two referenced documents be reviewed and considered.

Finally, as a campus, and Council, there was no consensus outside of the critical importance of faculty having space and flexibility to balance and respect academic freedom, academic honesty, academic rigor, and academic curiosity.

Sincerely yours,

Sang-Hee Lee
Professor of Anthropology and Chair of the Riverside Division

CC: Monica Lin, Executive Director of the Academic Senate
    Cherysa Cortez, Executive Director of UCR Academic Senate Office

Attachments
Academic Unit Guidance for Issuing Public Statements Using University Websites

Oct. 31, 2023

Dear Deans, Chairs, and Directors:

I am reaching out to offer guidance and support when faculty wish to issue a public statement using university websites.

The following guidelines are provided with input from Strategic Relations and Communications and are based upon discussions among campus leadership, and specifically among Provost Moore’s academic affairs leadership team. They are intended to serve as a resource for unit-level academic leaders to consult when moments of public communication arise.

Academic guidance for issuing statements:

- University of Colorado Boulder leadership will not suppress free speech and will abide by the principles of academic freedom.
- Statements issued in the name of an academic unit should reflect the opinion of the entire unit, not the views of an individual or a small subset of unit members. While those who do not want to sign onto statements and are concerned about retaliation have protections under existing university policies such as the PRR and university discrimination and harassment policies, authors of a statement should also recognize the potential for power dynamics and social pressure to affect unit members’ perceptions of being free to choose whether or not to endorse statements.
- A statement from an academic unit should be based on academic expertise, not personal opinion.
- Per university policy, university IT resources must not be used for political campaigning, to harass and/or for commercial purposes.
- Consider that all public statements affect individuals and communities differently. Additionally, students may be impacted, and it is strongly advised that you consult with the Division of Student Affairs as a part of this process to gauge and prepare for possible impacts of a public statement. Student Affairs can be reached at studentaffairs@colorado.edu.
- Include a disclaimer that states: The statement does not reflect the viewpoint of the University of Colorado Boulder.
- To facilitate administrative awareness and advice before you issue a statement, consult with Strategic Relations and Communications and your dean’s office. Strategic Relations and Communications can be reached at cunews@colorado.edu.

In recent years, we have seen our faculty, staff and students navigate significant challenges that arise when their scholarly or creative work receives public attention or criticism. The Academic
Affairs Scholarship & Safety: A Guide for CU Boulder is a recommended resource for our community as it engages these challenges.

Thank you for your continued leadership.

Katherine Eggert
Senior Vice Provost for Academic Planning and Assessment
Professor of English
UCR PRINCIPLES OF COMMUNITY

The University of California Riverside is committed to equitable treatment of all students, faculty, and staff. UCR's faculty, staff, and students are committed to creating an environment in which each person has the opportunity to grow and develop, and is recognized for their contribution.

There are three objectives that our campus must strive toward in order to achieve these goals.  
• First, we must ensure that we have an environment that nurtures the intellectual and personal growth of our students, faculty and staff.  
• Second, we must ensure that our campus sets an example of respect for all people.  
• Third, we must ensure that our campus is a safe and welcoming environment for everyone.

We take pride in the diversity of the campus community and in ourselves by using the campus environment as a place, committed to academic integrity, where all members are encouraged to use their unique talents to enrich the daily life of the community in which they live, work, teach and learn. Respect for differences and civil discourse must become the hallmark of how we live and work together to build our community of learners at UCR.

We as members of the University of California Riverside affirm our responsibility and commitment to creating and fostering a respectful, cooperative, professional and courteous campus environment. Implicit in this mutual respect is the right of each of us to live, study, teach, and work free from harassment or denigration on the basis of race/ethnicity, age, religious or political preference, gender, transgender, sexual orientation, nation of origin, or physical abilities. Any violation of this right by verbal or written abuse, threats, harassment, intimidation, or violence against person or property will be considered a violation of the principles of community that are an integral part of the University of California’s focus, goals and mission (and subject to sanction according to University policies and procedures).

We recognize that we will all need to continually work together to make our campus community a place where reason and mutual respect among individuals and groups prevail in all forms of expression and interaction.
February 16, 2024

To: Senate

From: School of Business Executive Committee

Re: Proposed Policy: Proposed Regents Policy on Use of University Administrative Websites

The School of Business Executive Committee supports the goals of the proposed Regents Policy (6 for, 1 against, 0 abstain), however, we suggest that more web pages are included. (One voting EC member did not support the policy because of concerns that the proposed policy does not sufficiently prevent confusion between official university communications and individuals’ personal viewpoints. )

The proposed policy on separating personal and official viewpoints strives to achieve a delicate balance between protecting individual academic freedom and ensuring institutional neutrality and clarity. To achieve this, the policy clarifies that the opinions expressed by individual faculty members do not represent the official stance of the University. This safeguards the institution's credibility and public trust while encouraging diverse viewpoints within the academic community.

We support disassociating official channels from personal opinions. The School of Business Executive Committee is concerned that the policy as stated does not sufficiently restrict the opportunity to express personal opinions on non-landing pages of university websites. Also, it may be unclear in some cases what is considered a landing page and what is not. We believe that there should be more exclusion of personal viewpoints on official university webpages than the policy suggests or, at the very least, that a more extensive definition of “main landing pages” be included. University websites typically include official layers below the main landing page that we think are taken to represent the University viewpoint and thus should likewise not include personal opinion.
With a more expansive definition of the “official” channels, the policy would prevent any misinterpretations and foster transparency in official communications. This would promote accountability by linking personal views to individual faculty members, encouraging responsible expression, and preventing the University from being associated with potentially controversial personal stances. Additionally, the policy maintains the efficiency and focus of official channels by dedicating them solely to official business, making it easier for stakeholders to find relevant information.

The policy recognizes the abundance of non-official platforms available for faculty members to express their personal opinions. This ensures that official channels remain dedicated to their core purpose, while individual freedom of expression is protected. The policy aligns with legal mandates like the First Amendment and reinforces established academic freedom principles, while maintaining flexibility for designated spokespersons, news and events related to faculty work, and additional unit-specific policies.

While concerns regarding potential limitations on academic freedom might arise, the policy, with an expanded definition of official webpages, strives to strike a responsible balance between individual expression and the protection of institutional neutrality and clarity in official communications. This ensures a healthy academic environment where diverse viewpoints can flourish while maintaining the University’s commitment to unbiased information and public trust.
COMMITTEE ON ACADEMIC FREEDOM

February 20, 2024

To: Sang-Hee Lee, Chair
   Riverside Division Academic Senate

From: Matt King, Chair
       Committee on Academic Freedom

Re: Proposed UC Regents Policy on Use of University Administrative Websites

In reference to the proposed Regent’s Policy for Administrative Websites, it is the position of the UCR Committee on Academic Freedom (CAF) that this policy could infringe on academic freedom. At issue is the definition of “opinion.” Who, our committee asks, would have the authority to define some content on an administrative website as “opinion”? Would it be a regent? A politician? Some other administrator? We find no answers in this proposed policy.

The lack of clarity around definition and authority places academic freedom in jeopardy in abundant ways. According to many members of the public and a significant percentage of elected officials today, the established facts in fields like evolutionary biology are constantly attacked as “opinion.” Climate science is another example. So, too, the historiography of slavery in the United States, the text-critical scholarship of early Christianity, the modeling of labor economics, and so on and so forth.

We do not see in this proposed policy any clear safeguards against the potential censure of established, field-based facts by a public or university official who considers them inconvenient because of whatever social, political, religious, economic, or other commitment. In practice, this policy has significant potential to be selectively applied and thus to limit the speech of certain groups by barring or otherwise curtailing them from public engagement via official university websites. This is clearly a violation of the university’s core commitment to academic freedom.

A policy in which regents, politicians, administrators, or any other authority lacking in the qualifications of an academic unit or specialized fields of study are handed unchecked power to potentially banalize and censure field-based facts or interpretation as “opinion,” and to strike them from official UC websites must be avoided at all costs.

Curiously, the proposed policy appears to the UCR CAF as simply restaging a previously failed policy which proposed to ban “political statements” of solidarity or condemnation from university websites. That proposed policy, in our understanding, was struck down in June of 2022. What is different in the current proposal, other than a dangerous widening of potentially censored speech from “political statements” to “opinions” writ large?
The proposed Regent’s Policy for Administrative Websites is a significant threat to academic freedom. It should not be adopted as framed in this proposal.
COMMITTEE ON CHARGES

February 21, 2024

To: Sang-Hee Lee, Chair
Riverside Division

Fr: Amit Roy-Chowdhury
Chair, Committee on Charges


The Committee reviewed the proposed UC Regents Policy on Use of University Administrative Websites and had no comments.
February 21, 2024

TO: Sang-Hee Lee, Chair
    Riverside Division of the Academic Senate

FROM: Wesley Leonard, Chair
    CHASS Executive Committee

RE: Proposed UC Regents Policy on Use of University Administrative Websites

In the contemporary political climate, where free speech and academic freedom on college campuses are increasingly under attack, the CHASS Faculty Executive Committee unanimously believes the Regents should reject the proposed UC Regents Policy on Use of University Administrative Websites. As detailed below, we find the proposed policy to be both dangerously vague and impractical, in addition to being incongruent with academic freedom and the mission of the UC.

First, we are concerned that the proposed policy is in conflict with the principle of academic freedom. Charles Robinson, general counsel to the UC Office of the President, stated during the January 24, 2024, Regents meeting that the policy intended to address “the types of speech that the University would feel uncomfortable with.” This egregiously goes against the principles of academic freedom the University purportedly espouses and also leaves open who or what exactly is meant by “the University.” We urge the Regents to reaffirm their commitment to academic freedom and to protect faculty rights.

Second, we take issue with the targeted nature of the proposed policy. We are concerned that a policy attempting to restrict academic freedom would apply only to “Units” while exempting the Chair of the Board of Regents, the UC president, the chancellors, and the leadership of the Academic Senate.

Third, we regard the proposed policy as a rash reaction to specific current political events. Regent Hadi Makarechian laid bare that the proposed policy emerged as a direct response to statements–protected by free speech and academic freedom–against the longstanding and ongoing Israeli genocide, siege, and displacement of Palestinians. Makarechian stated, “let’s go back and see why we brought this policy to the table…it was because some people were making
some political statements related to the Hamas and Palestinians. They were making, whether we want to call it hate speech for one side or the other.”

Fourth, the proposed policy fails to define what constitutes a political statement as opposed to an administrative statement and fails to engage if and how the political can be separated from scholarly expertise, or who would be empowered to make such a determination. Does the policy intend to police Units’ mission statements that, by the nature of a given Unit’s mission, might be deemed “political”? Such examples abound across our college, and include entire Units such as the Department of Gender and Sexuality Studies and the Department of Ethnic Studies, whose foundations are rooted in expressions of social justice, anti-imperialism, and gender equality, and whose research, teaching, and outreach frequently engage matters that have been politicized. We emphasize that these departments and their faculty are founded upon rigorous scholarship and expertise, and that there are public-facing topics where collective statements on main websites are called for because of their importance. As such, we encourage the Regents to support the status quo where faculty determine when, under what circumstances, and through what modes of dissemination to make collective statements based on their expertise.

Finally, we call attention to the established practices of shared governance in the UC system, which we believe have not been followed. While the current memo exemplifies a mode of consultation, we note that the policy in question was actually put forward at a Regents meeting before most UC Units or their representatives had even seen it, and that our current opportunity to offer feedback is occurring only after intervention by the Academic Council to secure the consultation that should have occurred from the outset. We expect the Regents to engage a thorough process of consultation with the faculty on all UC campuses and research institutions with regard to any policy.

1 https://youtu.be/HwWDxvpWKME?t=1357
2 https://youtu.be/HwWDxvpWKME?t=2895
February 20, 2024

TO: Sang-Hee Lee, Ph.D., Chair, Academic Senate, UCR Division

FROM: Bahram Mobasher, Ph.D., Chair, Faculty Executive Committee, College of Natural and Agricultural Sciences


Dear Sang-Hee,

The CNAS Faculty Executive Committee reviewed the Proposal Presidential Policy and generally favors the proposed changes.

Sincerely,

[Signature]

Bahram Mobasher, Ph.D
Chair, Faculty Executive Committee College of Natural and Agricultural Sciences
COMMITTEE ON DIVERSITY, EQUITY, & INCLUSION

February 21, 2024

To: Sang-Hee Lee, Chair
Riverside Division Academic Senate

From: Gareth Funning, Chair
Committee on Diversity, Equity, & Inclusion


The Committee reviewed the proposed UC Regents Policy on Use of University Administrative Websites and had no comments.
To: Sang-Hee Lee, Chair
Riverside Division

From: Abhijit Ghosh, Chair
Committee on Faculty Welfare


At our meeting on February 13, 2024, the Committee on Faculty Welfare (CFW) reviewed the Proposed Regents Policy on Use of University Administrative Websites. CFW members had the following mixed reactions/comments/questions with respect to the proposed policy.

- Some members agree with part of the proposed policy indicating that the main landing page of universities and departments should not be used to express personal and political views. These members assert that there are many other channels to communicate personal and political views outside of official university landing pages. Personal and political views do not belong on the main page. Perhaps departments could include blogs, or other additional pages to their website, where individuals can express their personal and political views. If faculty, however, have access to these blogs to express their views on politics, etc.: graduate and undergraduate students should also be allowed to access these pages and contribute. Students rarely ever have a chance to post any kinds of views on University websites anywhere, even though they also have freedom of speech and are also an essential part of the University community.

- Other members oppose the proposed policy. There is a great deal of subtext here that is largely up for debate and potentially censoring. It seems like this is perhaps laying the groundwork for departments to not make statements on their webpages. It is agreed that faculty members don’t speak for the institution, but there are a number of examples of all kinds of language that do not fit the protocol for “official business” that many organizations at the university currently employ (e.g., land acknowledgements). Who is the arbiter of what constitutes “official business” and what constitutes “political opinion”?

Would the proposed policy prevent departments from posting a “Calendar of Events” or “Schedule of Speakers,” lest the titles/names of these events be construed as “political”?

This is the University’s own claim about valuing diversity:
https://regents.universityofcalifornia.edu/governance/policies/4400.html.
The proposed policy seemingly runs counter to some of the language from the University’s statement; and this can be a slippery slope towards suppression of speech.

At UCR and in the College of Humanities, Arts, and Social Sciences (CHASS) in general, the proposed policy oversteps various departments’ missions and pedagogy, while misunderstanding a number of disciplines within CHASS and beyond. The existence and research of Gender Studies, Black Study, SEHE (Society, Environment, and Health Equity), Middle East and Islamic Studies, Creative Writing, and any number of departments does not exist in a political vacuum.

How does this policy make any sense for departments whose mission statements engage with the complexity of the political and humanistic experience? A “business only”/“just the facts” approach grossly misunderstands the existence of entire disciplines. Under this new proposed policy, what does the Administration envision the mission statement for some of these department webpages to look like?

From a managing optics perspective, this policy seems like a shortsighted attempt from Administration to avoid scrutiny; but implementing it is also going to raise a ton of scrutiny. Furthermore, the Administrators proposing this policy need to understand that what they are doing will create a Streisand effect.

The proposed policy should focus on safeguarding against abuse of speech, rather than safeguarding against the expression of it.

- Was there an “event” that prompted this issue? Would it perhaps be better to address that “event” in isolation, versus create a systemwide policy that impacts all University administrative websites; and which could potentially lead to subjective judgments/regulation and a flood of contentious debate regarding whether a view, statement, or sentence is indeed personal and/or political?
COMMITTEE ON PRIVILEGE & TENURE

February 5, 2024

To: Sang-Hee Lee, Chair
   Riverside Division

Fr: Y. Peter Chung, Chair
    Committee on Privilege & Tenure

Re: [Systemwide Review] (Proposed Policy) Proposed Regents Policy on Use of University Administrative Websites

The Committee on Privilege and Tenure reviewed the proposed UC Regents Policy on Use of University Administrative Websites and had no comments.
March 1, 2024

TO: Sang-Hee Lee, Ph.D., Chair, Academic Senate, UCR Division
FROM: Marcus Kaul, Ph.D., Chair, Faculty Executive Committee, UCR School of Medicine
SUBJECT: Response to Systemwide Senate Review of Proposed Regents Policy on Use of University Administrative Websites

Dear Sang-Hee,

The SOM Faculty Executive Committee has reviewed the Proposed Regents Policy on Use of University Administrative Websites.

The Committee identified challenges with the policy. The Committee expressed concern that the policy does not differentiate between personal statements and statements related to research which in factual context may be viewed as political or controversial.

The policy leaves the decision of whether or not a posting complies with the policy to a website administrator. It is completely unclear how a website administrator or anyone who can decide what remains on the website will be trained and qualified to decide what is appropriate or not? Website administrators are not automatically subject matter experts. The Committee believes the proposed policy has high potential to compromise academic freedom. In order to report on controversial issues one must be allowed to reference the issue. Websites are modes of communication, so the Committee asked if there will be communication and justification when removing content from the website. The Committee asked what the consequences are and at what point does faculty have a say to explain the content. Finally, is there an appeal process for the removal of content?

Yours sincerely,

Marcus Kaul, Ph.D.
Chair, Faculty Executive Committee School of Medicine
TO: Sang-Hee Lee, Chair  
Riverside Division

FR: Richard M. Carpiano, Chair  
Executive Committee, School of Public Policy

RE: Systemwide Senate Review of Proposed Regents Policy on Use of University Administrative Websites

Date: February 21, 2024

The Faculty Executive Committee of the School of Public Policy reviewed the document “Systemwide Senate Review of Proposed Regents Policy on Use of University Administrative Websites.”

We endorse most strongly the fundamental values and principles of freedom of speech and academic freedom that enable faculty and students/trainees to pursue scholarly inquiry and publicly express their viewpoints in a variety of forums, including the practice of academic units (e.g., departments, schools, colleges, programs) posting position statements that are authored by some or all of its faculty (and perhaps students/trainees). Likewise, we recognize that the desire for faculty to co-author and post unit statements expressing viewpoints or positions on matters of public concern can also present challenges related to stifling academic freedom and fostering hostile workplace situations for faculty (at any career stage) who do not wish to participate, regardless of their reason (whether expressly stated or not). Therefore, similar to the many other forums in which faculty, individually or collectively, may publish or express their viewpoints, we contend that it is fair, reasonable, and important for the UC system to establish some basic standards and guidelines regarding such statements. Such an effort is consistent with what other institutions (e.g., University of Colorado-Boulder, University of Illinois, Brown University) have already produced and the (University of) “Chicago Principles” or similar academic freedom documents regarding administrators, faculty, and students protecting and respecting campus freedom of expression, inquiry, and debate, which many prestigious U.S. public and private universities and colleges have adopted or endorsed.

Given these considerations, we support the proposed ideas that such unit statements should:

a. Not be posted on the landing page of the unit’s website. As a respectful compromise that respects academic freedom, a weblink to that statement can be provided on the landing page to enable access to the statement posted elsewhere.
b. List its authors/signatories and a disclaimer explicitly stating that the opinions expressed are only those of the authors, and do not represent the official views of the University or that unit (including other unit faculty not listed as signatories). The inclusion of this disclaimer is important to help (though not completely) address the fact that the process of producing of such statements present academic freedom and human resource-related (e.g., professional/workplace bullying) concerns when they do not represent the views of the entire faculty in the unit (e.g., one or more faculty declined to have their name associated with the statement authored by others in the unit but feel pressured to participate out of fear of negative repercussions). Including such a disclaimer also helps to address the high likelihood that outside readers will attribute the opinions expressed in the statement to all members of the unit—even those faculty who did not endorse it. Hence, not signing on to a document is insufficient to protective one from negative reactions and future consequences that such statements might generate.

Furthermore, we contend that it is reasonable for the UC system to adopt guidelines that advise faculty that such unit statements should:

c. be based on the professional and/or academic expertise—not personal opinions—of the faculty authors. This guideline is consistent with reasonable recommendations issued at the University of Colorado-Boulder regarding the posting of such statements: https://www.colorado.edu/academicaffairs/sites/default/files/attached-files/academic_unit_guidance_for_issuing_public_statements_using_university_websites.pdf

In closing, we wish to emphasize that reasonable guidelines for unit statements are consistent with and important for fostering academic freedom and a diversity of viewpoints that university campuses should strive to promote.

Sincerely,

Richard M. Carpiano, Ph.D., M.P.H.
Professor of Public Policy