



THE EXECUTIVE COMMITTEE

15-16 BEC 9
April 5, 2016

TO: The Academic Senate

FROM: The Executive Committee of the Academic Senate

SUBJECT: 15-16 BEC 9: Resolution in Support of AS 3249

PURPOSE: For adoption by the Academic Senate

ACTION REQUESTED: That this resolution be sent to the CSU Board of Trustees, Chancellor White, the Academic Senate of the California State University, all California State University Academic Senates, and to the California State University East Bay campus community

BACKGROUND INFORMATION:

At its meeting on March 29, 2016, the Executive Committee voted to send the attached resolution to the Academic Senate. At its meeting on April 5, 2016, the Academic Senate voted to adopt the attached resolution.

California State University East Bay Academic Senate

**Resolution in Support of CSU Academic Senate's Resolution AS-3249-16/AA/FA/EX –
Concerns about Administrative Communications Regarding Classroom Discussion of
Possible Strike Action**

WHEREAS: On March 4, 2016 the Academic Senate of the California State University approved without dissent the resolution titled 'Concerns about Administrative Communications Regarding Classroom Discussion of Possible Strike Action'; now, therefore, be it

RESOLVED: That the Academic Senate of California State University East Bay endorse the Academic Senate of the California State University resolution 'Concerns about administrative communications regarding classroom discussion of possible strike action', and be it further

RESOLVED: That this resolution be sent to the CSU Board of Trustees, Chancellor White, the Academic Senate of the California State University, all California State University Academic Senates, and to the California State University East Bay campus community.

Text of the ASCSU Resolution:

ACADEMIC SENATE OF THE CALIFORNIA STATE UNIVERSITY

AS-3249-16/AA/FA/EX

March 3-4, 2016

First Reading/Waiver

**CONCERNS ABOUT ADMINISTRATIVE COMMUNICATIONS REGARDING
CLASSROOM DISCUSSION OF POSSIBLE STRIKE ACTION**

RESOLVED: That the Academic Senate of the California State University (ASCSU) express consternation over recent communications from some CSU presidents and administrators forbidding faculty to discuss the potential strike action planned by the California Faculty Association (CFA) in their classrooms; and be it further

RESOLVED: That the ASCSU affirm that the determination of the relevance of material to a particular class is the decision of the faculty teaching that class in the context of accepted pedagogical and disciplinary standards; and be it further

RESOLVED: That the ASCSU urge campus senates to communicate the content of this resolution to all faculty; and be it further

RESOLVED: That the ASCSU distribute this resolution to:

- CSU Chancellor,
- CSU Board of Trustees,
- CSU campus Presidents,
- CSU campus Academic Senates,
- CSU Provosts/Vice Presidents of Academic Affairs
- California Faculty Association (CFA),
- California State Student Association (CSSA),
- Campus Associated Students Incorporated Presidents
- California State University Emeritus and Retired Faculty Association (CSU ERFA)
- American Association of University Professors (AAUP)

RATIONALE: On February 6, 2016 the California Faculty Association (CFA) announced plans for a system-wide strike in April 2016 if a settlement is not reached in negotiations for a pay increase for the second year of the current three-year contract. Several CSU Presidents sent a letter to their campuses regarding the possible strike that included this sentence: "Classroom time cannot and should not be used by faculty to discuss issues related to the strike..." (see, for example, Attachment A, letter from CSU LA President William A. Covino) This language would seem to be consistent with the American Association of University Professors (AAUP) 1940 Statement on Academic Freedom which states that, "Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject." However, in 1970 the AAUP acknowledged that controversy is at the heart of free academic inquiry, and that its 1940 language was not meant to discourage what is controversial, but rather underscored the need for teachers to avoid persistently intruding material which has no relation to their subject. Indeed,

in a later statement about controversy in the classroom, the AAUP stated that, "Controversy is often at the heart of instruction; good teaching is often served by referring to contemporary controversies even if only to stimulate student interest and debate."

(<http://www.aaup.org/report/controversy-classroom>)

Strike Frequently Asked Questions (FAQ) provided by the CSU Chancellor's Office begin to acknowledge this point. In the FAQs, the initial statement in presidents' letters is amended to declare that, In general, however, faculty members cannot and should not use classroom time to discuss other issues related to the strike, unless such a discussion is directly relevant to the content of the course. That will not be true in the vast majority of cases."

(<http://www.calstate.edu/hr/employeerelations/bargaining-updates/documents/2016/CFA-StrikeQandA.pdf>) It is not the place of campus Presidents or the Chancellor's Office to decide what is relevant to the content of a course. That decision can only be made by the faculty teaching the class as would be consistent with pedagogical and disciplinary expectations.