Date: June 3, 2015
To: Chancellor Wilcox; Provost D’Anieri; Senate Chair Wudka
From: Bill Kidder – Chief Compliance Officer and Associate Vice Chancellor
Re: UCR Review of the Spring 2015 “Palestinian Voices” Student-Led Course

I. Executive Summary

The UC Office of the President has requested that the Riverside campus perform a detailed review of the student-facilitated “R’Course” titled “Palestinian Voices” (offered this spring quarter). This memo and the accompanying appendices provide such a review – focusing on the question of whether applicable University policies have been followed. While the “Palestinian Voices” course addresses a controversial topic (one where reasonable people can disagree), the course was approved via the regular application of professional faculty/Senate review standards and this course did not violate UC policies including The Regents’ policy on course content.

II. Relevant University Policies

UC Regents Standing Order 105.2, APM – 010 and UC Regents Policy 2301, discussed below, are the three University policies that are most germane to this review.
Quoted below are the passages from Standing Order 105.2, APM – 010 and Regents Policy 2301 that have the greatest relevance in the present case:

- **UC Regents Standing Order 105.2(b)** “The Academic Senate shall authorize and supervise all courses and curricula offered...”¹ [enclosed as Appendix #1]

- **APM – 010, the UC Policy on Academic Freedom**: “Academic freedom requires that teaching and scholarship be assessed by reference to the professional standards that sustain the University’s pursuit and achievement of knowledge. The substance and nature of these standards properly lie within the expertise and authority of the faculty as a body. The competence of the faculty to apply these standards of assessment is recognized in the Standing Orders of The Regents, which establish a system of shared governance between the Administration and the Academic Senate. Academic freedom requires that the Academic Senate be given primary responsibility for applying academic standards, subject to appropriate review by the Administration, and that the Academic Senate exercise its responsibility in full compliance with applicable standards of professional care.”² [enclosed as Appendix #2]

  - **APM – 010, Appendix B covering students and scholarly inquiry**: “Students may also serve as instructors under supervision of the faculty. The faculty retains authority over all aspects of the course, including content, structure, evaluations, and delegation of authority for the course, and must base the guidance of student instructors on accepted scholarly and professional standards of competence in teaching. Subject to such authority, however, such student instructors share with faculty the freedom and responsibility to present concepts, to lead discussion in class, and to ensure the appropriate and civil treatment of other members of the academic community.” [Appendix #2]

- **UC Regents Policy 2301**: “Students who enroll on the campuses of the University of California are parties to a moral and contractual relationship in which the University, on its side, is obligated to provide quality education, to recognize student achievement with grades and degrees which have an accepted meaning for transfer to other institutions, for graduate work, and for careers.... Misuse of the classroom by, for example, allowing it to be used for political indoctrination, for purposes other than those for which the course was constituted, or for providing grades without commensurate and appropriate student achievement, constitutes misuse of the University as an institution...

Therefore, it is The Regents' policy that no campus, no academic college, no department, and no instructor distort the instructional process in a manner which deviates from the responsibilities inherent in academic freedom.”³ [enclosed as Appendix #3]
Under Regents Standing Order 105.2 (and consistent with APM – 010 and Regents Policy 2301) the Academic Senate has been delegated formal authority to supervise and approve courses. The Senate is so entrusted with this responsibility because it is the faculty who are best positioned to apply professional academic standards of assessment in matters of curricula, as noted in APM – 010: “Academic freedom requires that the Academic Senate be given primary responsibility for applying academic standards.”

Many of the letters to UCR and UCOP from external stakeholders about this student-facilitated course cite the “political indoctrination” language in Regents Policy 2301, which is discussed in context further below. Note however, that by its own terms Regents Policy 2301 also references the University’s commitment to academic freedom. Moreover, Regents Policy 2301 dates back to 1970, and when there were modest changes to this policy in 2005 the briefing for the UC Regents noted regarding Policy 2301, “It is complementary to the Presidential policy on academic freedom, about which The Regents have been fully briefed and informed (APM 010)... The faculty as a whole is entrusted with enforcing proper standards, subject to the ultimate authority of the Administration.”

III. Applying University Policies to the Facts in this Case

In practice, the delegated approval authority under Standing Order 105.2 is exercised at UCR (and the other UC campuses) through a committee on courses and/or related Senate committees. In this instance, last December the UCR Academic Senate approved a program of student-facilitated (but supervised by a faculty member) one-unit courses known as “R’Courses” that UCR students can take on a “Satisfactory/No Pass” basis. The UCR Office of Undergraduate Education works with the R’Course Governing Board to review proposals for R’Courses. This spring the total number of R’Courses offered (eleven) was fairly modest.

With respect to the R’Course on “Palestinian Voices” the course proposal by student facilitator Tina Matar was reviewed by the R’Course Governing Board per the regular review process, and changes were made along the way, including amending the title of the class. The approved course syllabus, available on the R’Course website (http://rcourses.wix.com/spring2015), is enclosed as Appendix #4. The chair of the R’Course Governing Board (Professor Mark Springer) and the chair of the UCR Senate Committee on Educational Policy (Professor Ken Baerenklau) confirmed in email (full quote in the table below) that this course “went through the normal review process that includes approval from her faculty advisor, home department, and our committee. We recognize that [Ms. Matar’s] course offering addresses a controversial topic, but in our view her R’Course is consistent with relevant University of California policies.” The email from Professors Springer and Baerenklau also notes that students can object to an
instructor’s pedagogy through the normal process available to all students; I have checked with relevant offices on campus, including the Office of Undergraduate Education, and thus far I am not aware of any complaints from students enrolled in “Palestinian Voices.”

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**Sent:** Friday, April 17, 2015 12:25 PM  
**Subject:** Tina Matar’s R’Course

We write to you regarding the recent controversy over an R’Course that is being taught by Tina Matar in the English Department with Professor David Lloyd as her faculty supervisor. The official title of Tina’s course is "Palestinian Voices". This title was adopted after Tina considered comments from the Interim R’Courses Governing Board on an earlier draft of her syllabus. Unfortunately this title was not incorporated into Tina's revised syllabus, which retains the original, more controversial title ("Palestine & Israel: Settler-Colonialism and Apartheid"). We have asked Tina to upload a revised version of her syllabus with a correct course title. Also, Tina revised the content of her syllabus after receiving feedback from our committee and consulting with Professor Lloyd. These changes are reflected in the syllabus that was uploaded to the R’Courses website. Tina’s course went through the normal review process that includes approval from her faculty advisor, home department, and our committee. We recognize that Tina’s course offering addresses a controversial topic, but in our view her R’Course is consistent with relevant University of California policies. If students in Tina's R'course (or any course for that matter) object to the instructor’s pedagogy they can seek recourse through the normal channels available to all students on campus.

Sincerely,

Mark S. Springer  
Chair, Interim R’Course Board

Ken Baerenklau  
Chair, CEP [Committee on Educational Policy]

The UCR Academic Senate’s approval process for R’Courses is further described in the February 2015 report by the Committee on Educational Policy. The most relevant section is quoted in the table on the next page (the full report is enclosed as Appendix #5). The process described below of setting educational standards was adhered to with respect to the “Palestinian Voices” class. Ms. Matar was asked to attend five or six training sessions in order to serve as the student facilitator for the class. The R’Course Governing Board also looked into the “fit” of having this course offered through the English department and whether there was overlap with regular academic courses being offered in other departments. The syllabus was adjusted to place more emphasis on the use of contemporary literature as a lens for exploring the subject matter.
UCR Committee on Educational Policy’s Report on Senate Oversight of R’Courses
February 2015

“The R’Courses Governing Board is charged with providing direction and oversight for the program. The Academic Senate delegates to this Board the responsibility for setting the educational standards for R’Courses and for ensuring that these standards are maintained. To support the program, this Board will solicit, review, and select proposals for R’Course offerings. This includes establishing a recruitment program with informational sessions at popular student venues. It also has responsibility for training the facilitators, and it will coordinate this activity and course preparation with the facilitator’s faculty mentor. If the educational quality of the course is substandard, the Board has the authority to intervene and terminate a course prior to the beginning of the quarter of instruction if corrective measures are not possible...

Official Senate oversight will be provided by the Committee on Courses and CEP, and to enable this mandate, these committees will receive an annual report from the Governing Board on the status of the program. If concerns arise, the Committee on Courses will provide feedback.”

In addition to the regular review process described above, a few days ago the UCR Academic Senate’s Committee on Academic Freedom (CAF) issued a review letter regarding the “Palestinian Voices” R’Course. The full text of this letter is enclosed as Appendix #6, and in relevant part the Senate CAF letter concludes that this course was properly reviewed by faculty on multiple levels:

One can ask the question, at what point does instruction with a perspective cross the line to become political indoctrination in violation of Regents policy 2301? An important distinction here is whether there are clear inaccuracies in factual information that are intentionally used to project a distorted message. This issue and the overall educational merit of the course are decided by a review process authorized by the Academic Senate in accordance with the Regents Orders, UC policies and UC bylaws. For the course entitled Palestinian Voices, the educational merits were vetted and judged compliant with academic standards by the faculty member serving as the course advisor, the Chair of the English Department, several other faculty in the Department of ... Ethnic Studies and finally by the Governing Board for the R-Courses program. This review process, which was authorized by the Senate, includes Senate representation at every level. CAF found no reason to doubt the proficiency of this process.... Separate from this issue is her ability to conduct the class in a manner consistent with UC’s educational standards, and again to insure these standards are met, a mechanism is in place to train the facilitator and to monitor her engagement in the course.

Because professional academic standards at UC are the province of the faculty collectively represented by the Senate, and because regular Senate and faculty review mechanisms were followed with respect to the evaluation and oversight of the “Palestinian Voices” R’Course, available evidence indicates that there was not a failure to adhere to the “political indoctrination” prohibition in Regents Policy 2301 when that policy is interpreted harmoniously...
with (as it should and must be) and alongside the University’s robust commitment to academic freedom (APM – 010) animated by the academic judgment of the faculty (Regents Standing Order 105.2). Rather, this student-facilitated course involves a politically controversial topic about which conscientious stakeholders in the broader community (including lawmakers) may disagree and express concerns, just as some faculty and administrators within the University could conceivably disagree about the relative merits of this course.

At the end of the day the existence of objections and concerns about “Palestinian Voices” (some of which are eloquently articulated) constitutes an insufficient basis to second-guess academic judgment. As Professor Robert Post – currently the Dean of the Yale Law School and then a UC faculty member tasked with drafting the modified version of the University’s policy statement on academic freedom – wrote in analyzing a closely parallel controversy with a UC Berkeley student-facilitated course about Palestinian-Israeli conflict several years ago:

The Academic Senate has decided that the course description is acceptable, that it is neither intimidating nor without educational justification. This decision is no doubt disputable, because it involves hard and close matters of educational judgment about which reasonable persons can disagree. It is nevertheless a defensible decision, because good reasons can be articulated in its support. To use legal terminology, the decision does not constitute an abuse of discretion. As I have discussed, weighty reasons of academic freedom counsel that decisions within the professional expertise of the faculty that do not constitute an abuse of discretion be respected by the administration of the university, even if members of the administration would have reached a different judgment had they been called upon to make an initial determination. The professional autonomy of the faculty inheres in such deference.  

[enclosed at Appendix #7]

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1 http://regents.universityofcalifornia.edu/governance/standing-orders/so1052.html
2 http://www.ucop.edu/academic-personnel-programs/_files/apm/apm-010.pdf. The Academic Senate, both at UCR and for the UC system, approved an April 2015 policy statement that “strongly endorses the preeminence of the value of academic freedom.”
3 http://senate.ucr.edu/committee/?do=info&id=3
4 http://regents.universityofcalifornia.edu/governance/policies/2301.html
5 http://rcourses.wix.com/spring2015#!about/cjg9. These UCR “R’Courses” are modeled after the “DeCal” student-facilitated courses that UC Berkeley has offered for decades.
Appendix #1
Standing Order 105. Academic Senate

105.2: Duties, Powers, and Privileges of the Academic Senate

a. The Academic Senate, subject to the approval of the Board, shall determine the conditions for admission, for certificates, and for degrees other than honorary degrees. It shall recommend to the President all candidates for degrees in course and shall be consulted through committees appointed in such manner as the President may determine in connection with the award of all honorary degrees.

b. The Academic Senate shall authorize and supervise all courses and curricula offered under the sole or joint jurisdiction of the departments, colleges, schools, graduate divisions, or other University academic agencies approved by the Board, except that the Senate shall have no authority over courses in the Hastings College of the Law, San Francisco Art Institute, in professional schools offering work at the graduate level only, or over non-degree courses in the University Extension. No change in the curriculum of a college or professional school shall be made by the Academic Senate until such change shall have been submitted to the formal consideration of the faculty concerned.

c. The Academic Senate shall determine the membership of the several faculties and councils, subject to the provisions of Standing Order 105.1(c), except the faculties of Hastings College of the Law, and San Francisco Art Institute, provided that the several departments of the University, with the approval of the President, shall determine their own form of administrative organization, and all Professors, Associate Professors, Acting Professors, Acting Associate Professors, and Assistant Professors, and all Instructors of at least two years' service shall have the right to vote in department meetings.

d. The Academic Senate is authorized to select a committee or committees to advise a Chancellor concerning a campus budget and to select a committee or committees to advise the President concerning the University budget.

e. The Academic Senate shall have the right to lay before the Board, but only through the President, its views on any matter pertaining to the conduct and welfare of the University.

f. The Academic Senate is authorized to advise the President and the Chancellors concerning the administration of the libraries of the University.

g. The Academic Senate is authorized to select a committee or committees to approve the publication of manuscripts by the University of California Press.
Appendix #2
Academic Freedom

The University of California is committed to upholding and preserving principles of academic freedom. These principles reflect the University's fundamental mission, which is to discover knowledge and to disseminate it to its students and to society at large. The principles of academic freedom protect freedom of inquiry and research, freedom of teaching, and freedom of expression and publication. These freedoms enable the University to advance knowledge and to transmit it effectively to its students and to the public. The University also seeks to foster in its students a mature independence of mind, and this purpose cannot be achieved unless students and faculty are free within the classroom to express the widest range of viewpoints in accord with the standards of scholarly inquiry and professional ethics. The exercise of academic freedom entails correlate duties of professional care when teaching, conducting research, or otherwise acting as a member of the faculty. These duties are set forth in the Faculty Code of Conduct (APM - 015).

Academic freedom requires that teaching and scholarship be assessed by reference to the professional standards that sustain the University's pursuit and achievement of knowledge. The substance and nature of these standards properly lie within the expertise and authority of the faculty as a body. The competence of the faculty to apply these standards of assessment is recognized in the Standing Orders of The Regents, which establish a system of shared governance between the Administration and the Academic Senate. Academic freedom requires that the Academic Senate be given primary responsibility for applying academic standards, subject to appropriate review by the Administration, and that the Academic Senate exercise its responsibility in full compliance with applicable standards of professional care.*

Members of the faculty are entitled as University employees to the full protections of the Constitution of the United States and of the Constitution of the State of California. These protections are in addition to whatever rights, privileges, and responsibilities attach to the academic freedom of university faculty.

* The original language of APM - 010, which was drafted in 1934, associated academic freedom with scholarship that gave “play to intellect rather than to passion.” It conceived scholarship as “dispassionate” and as concerned only with “the logic of the facts.” The revised version of APM - 010 holds that academic freedom depends upon the quality of scholarship, which is to be assessed by the content of scholarship, not by the motivations that led to its production. The revision of APM - 010 therefore does not distinguish between “interested” and “disinterested” scholarship, it differentiates instead between competent and incompetent scholarship. Although competent scholarship requires an open mind, this does not mean that faculty are unprofessional if they reach definite conclusions. It means rather that faculty must always stand ready to revise their conclusions in the light of new evidence or further discussion. Although competent scholarship requires the exercise of reason, this does not mean that faculty are unprofessional if they are committed to a definite point of view. It means rather that faculty must form their point of view by applying professional standards of inquiry rather than by succumbing to external and illegitimate incentives such as monetary gain or political coercion. Competent scholarship can and frequently does communicate salient viewpoints about important and controversial questions.

Rev. 9/29/03
CHANCELLORS
LABORATORY DIRECTORS
VICE PRESIDENT – AGRICULTURE AND NATURAL RESOURCES

Dear Colleagues:

Revised Academic Personnel Policy 010, Academic Freedom

Enclosed is revised Academic Personnel Policy 010, Academic Freedom, which is effective immediately. This new statement on academic freedom for faculty supersedes the previous APM - 010.

The previous statement on academic freedom was first issued by President Robert G. Sproul in 1934 as part of a series of University Regulations later incorporated into University policy as APM - 010. After extensive consultation with faculty and other members of the University community, I am pleased to issue this revised policy. The policy is based on the traditional cornerstones of academic freedom – freedom of inquiry and research, freedom of teaching, and freedom of expression and publication. The policy establishes that faculty have primary responsibility for articulating the professional standards by which academic freedom may be sustained. I would especially like to thank Professor Robert C. Post, who is a member of the Law School faculty at Berkeley and a distinguished scholar on First Amendment law, for his thoughtful advice. I would also like to thank the Academic Senate for its comprehensive review of the proposal.

This new policy does not seek to change in any way the authority of the Board of Regents to govern the University of California, or the responsibility of the Administration to perform its appropriate role in governance. The policy is intended to be read in conjunction with APM - 015 (Faculty Code of Conduct) and with The Regents’ 1970 policy on academic freedom. Although this new policy applies to the University’s faculty, its issuance does nothing to diminish the rights and responsibilities enjoyed by other academic appointees. A discussion of the background leading to this revised policy is presented in a paper entitled “Academic Freedom and the Research University” appended to this letter.

Sincerely,

Richard C. Atkinson
President

Enclosures

cc: Members, President’s Cabinet
    Academic Council Chair Pitts
    Associate Vice President Boyette
    Assistant Vice President Switkes
    Special Assistant Gardner
    Principal Officers of the Regents

*Note: The Regents’ 1970 policy on academic freedom and the paper entitled “Academic Freedom and the Research University” may be found online at http://www.ucop.edu/ucophome/coordrev/policy/9-29-03.html.
Preamble to the Statement of Principles: Student Freedom of Scholarly Inquiry

The University of California seeks to provide and sustain an environment conducive to sharing, extending, and critically examining knowledge and values, and furthering the search for wisdom. Effective performance of these central functions requires that students be free within their respective level in the educational process to pursue knowledge in accord with appropriate standards of scholarly inquiry.

But the nature of student freedom of scholarly inquiry has not been well articulated in the University. This lack of clarity was brought to the attention of the University Committee on Academic Freedom (UCAF) in 2003 as a result of student awareness of the recent revisions to the University's policy on academic freedom (APM - 010). UCAF agreed to examine the issue, and a joint Academic Senate-Student Affairs systemwide work group was established to this end. The work group consisted of faculty from UCAF, Academic Senate faculty leaders, Student Regents, student representatives from campuses, divisional campus student affairs representatives, and staff from the Office of the President.

In the work group’s deliberations, it became clear that the issue was more complex than first thought. This was primarily due to articulating sound principles that account for differences in student roles based on whether they are undergraduate students, graduate students, or postdoctoral fellows. Within this range of roles, the concept of “student” has varied operational meanings associated with intellectual maturity and development, as well as with academic responsibilities such as graduate student teaching and participation as a researcher-colleague.

The most salient guiding principle that emerged from our deliberations is that academic freedom is conferred in the University of California by virtue of faculty membership. As such, student freedom of scholarly inquiry is ultimately derived from, and protected by, faculty academic freedom.

Student freedom of scholarly inquiry should also not be construed as adversarial to the faculty from which it derives. The academic freedom of the faculty is not absolute. The Faculty Code of Conduct describes the responsibilities of the faculty in relation to students, and specifically, in situations where controversial opinions are not germane to the subject of the course. These Principles are intended as an aspirational statement to guide members of the University community toward the goal of preserving an environment conducive to promoting the highest standards of teaching and scholarship.
Statement of Principles: Student Freedom of Scholarly Inquiry

The University seeks to foster in its students a mature independence of mind, and this purpose cannot be achieved unless students are free to express a wide range of viewpoints in accord with the standards of scholarly inquiry for the competence of student work at each level of the educational process. The substance and nature of these standards properly lie within the expertise and authority of the faculty as a body. As such, it is primarily the responsibility of the faculty as set forth in the Faculty Code of Conduct to ensure that student freedom of scholarly inquiry is fostered and preserved in the University.

While there is substantial variation in students' competence to engage in scholarly inquiry based on their level in the educational process, the faculty has the major responsibility to establish conditions that protect and encourage all students in their learning, teaching, and research activities. Such conditions include, for example: free inquiry and exchange of ideas; the right to critically examine, present, and discuss controversial material relevant to a course of instruction; enjoyment of constitutionally protected freedom of expression; and the right to be judged by faculty in accordance with fair procedures solely on the basis of the students' academic performance and conduct.

For students to develop a mature independence of mind, they must be free in the classroom to express a wide range of viewpoints in accord with standards of scholarly inquiry and relevance to the topic at hand. No student can abridge the rights of other students when exercising their right to differ. Students should be free to take civil and reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled. The faculty has authority for all aspects of the course, including content, structure, relevance of alternative points of view, and evaluations. All decisions affecting a

1 See Academic Freedom, University of California Academic Personnel Manual 010.  
   http://ucop.edu/academic-personnel-programs/_files/apm/apm-010.pdf

   http://ucop.edu/academic-personnel-programs/_files/apm/apm-015.pdf

3 An example of this responsibility from the American Association of University Professors statement on the Academic Bill of Rights follows:

   If a professor of constitutional law reads the examination of a student who contends that terrorist violence should be protected by the First Amendment because of its symbolic message, the determination of whether the examination should receive a high or low grade must be made by reference to the scholarly standards of the law. The application of these standards properly distinguishes indoctrination from competent pedagogy. Similarly, if a professor of American literature reads the examination of a student that proposes a singular interpretation of Moby Dick, the determination of whether the examination should receive a high or low grade must be made by reference to the scholarly standards of literary criticism. The student has no "right" to be rewarded for an opinion of Moby Dick that is independent of these scholarly standards. If students possessed such rights, all knowledge would be reduced to opinion, and education would be rendered superfluous.  
   http://www.aaup.org/AAUP/comm/rep/A/abor.htm
student’s academic standing, including assignment of grades, should be based upon academic considerations administered fairly and equitably under policies established by the Academic Senate. In professional curricula, such decisions may include consideration of performance according to accepted professional standards.

Students may also serve as instructors under supervision of the faculty. The faculty retains authority over all aspects of the course, including content, structure, evaluations, and delegation of authority for the course, and must base the guidance of student instructors on accepted scholarly and professional standards of competence in teaching. Subject to such authority, however, such student instructors share with faculty the freedom and responsibility to present concepts, to lead discussion in class, and to ensure the appropriate and civil treatment of other members of the academic community.

Faculty guidance and supervision of student research is desirable and appropriate. Students’ freedom of inquiry while conducting research may not be abridged by decisions contrary to accepted scholarly and professional standards. Students are entitled to the protection of their intellectual rights, including recognition of their participation in supervised research and their research with faculty, consistent with generally accepted standards of attribution and acknowledgement in collaborative settings.

These protections are in addition to, and distinct from, the full protections of the Constitution of the United States and the Constitution of the State of California.

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4 See APM - 015.

5 See University of California, Section 170.00 of the Policies Applying to Campus Activities, Organizations and Students: University Obligations and Student Rights, Section 171.09. http://policy.ucop.edu/doc/2710537/PACAO-170

6 Scholarly and professional standards include: Graduate thesis research must be conducted under the supervision of a specified faculty advisor and is subject to the approval of the faculty thesis committee.
Appendix #3
Regents Policy 2301: Policy on Course Content

Approved June 19, 1970
Amended September 22, 2005

Students who enroll on the campuses of the University of California are parties to a moral and contractual relationship in which the University, on its side, is obligated to provide quality education, to recognize student achievement with grades and degrees which have an accepted meaning for transfer to other institutions, for graduate work, and for careers. The Regents are responsible to the people, to the faculty, and to the students to see that the University is faithful to this contract. They have the responsibility to see that the value of the diploma is not diluted, that it maintain its meaning to graduates and to future employers. They are responsible to ensure that public confidence in the University is justified. And they are responsible to see that the University remain aloof from politics and never function as an instrument for the advance of partisan interest. Misuse of the classroom by, for example, allowing it to be used for political indoctrination, for purposes other than those for which the course was constituted, or for providing grades without commensurate and appropriate student achievement, constitutes misuse of the University as an institution.

It should be understood that the Board of Regents has always recognized the importance of an "open forum policy" on the campuses, of a free exchange of ideas, and of pursuit of the truth wherever it may lead--popular or unpopular though that may be. There are many hours available during the daily activities of students and faculty for free discourse on matters of concern to them as citizens. It cannot be argued successfully that it is necessary to interrupt progress of an academic course or to modify grading procedures to provide such discussion. It is the Regents' responsibility to the very concept of a University to protect the institution from the misuse of the classroom and to ensure the rights of all to teaching and learning.

Therefore, it is The Regents' policy that no campus, no academic college, no department, and no instructor distort the instructional process in a manner which deviates from the responsibilities inherent in academic freedom. The right of students to have their classes held on the regularly scheduled basis and to be taught by the instructor whose responsibility it is to teach the course in question is to be upheld.
Palestinian Voices
1 unit
Spring 2015

Facilitator:
Tina Matar
Faculty Sponsor
David Lloyd

Location & Time
English Department Conference room (HMNSS 2212)
11:10am-1:00pm Fridays

Plan for Working with Faculty Mentor:
Professor David Lloyd is the faculty advisor for the student group, Students for Justice in
Palestine. He has been working very closely with us for the last two years and has been in
constant communication with not only me, but the other students as well. We have had a number
of face-to-face meetings throughout the year about forming a class like this, but the number of
meetings will again increase now that we have more concrete details and ideas in place. During
the quarter that I will be teaching, we will meet at least once a week to discuss the topics and
course work. The number of units for winter quarter preparation of 190 credit would be 2 units.
The readings we plan to do vary and are attached to this sheet with the syllabus.

Course Description:
This course is about the history of Palestine viewed through contemporary literature and media
from before the creation of Israel to today. We will be discussing the side of the conflict that you
don’t hear on mainstream media. This class was created to hear the stories of the Palestinian
people and their struggles that don’t get mentioned. This is a unique class on campus because
there is not a class that teaches the wide range of topics that will be discussed. Not only will this
class teach you the other side of the conflict that you never get to hear, but it will also allow you
to find ways to take part and listen to personal testimonials from people that have lived/currently
live through it.

Course Requirements
- Attend all classes
- Complete write-ups every week
- Participate in class discussions
- Final presentation
- Attend event
Assignments
All assignments must be submitted by the specified due date. All assignments will be announced on a week by week basis during class. Note: this class is not academically challenging nor deeply time-consuming, but the assignments are meant to provoke some thought into the subject.

Below is a brief description of assignments types. Fine details regarding every assignment will be provided with ample time for students to prepare later on in the course.

- Short write up (typed): ½ page, (specific details released every week) to respond to assigned reading or video and be prepared to actively participate in class each week.
- Presentation (really short): during the final week of the quarter. Groups of 2-3 will be assigned. Students will work together and present in class (details to come)

Grading

- Attendance and active participation (30%)
  - Attendance (10%)
  - Active Participation (20%)
- Weekly write-ups (30%)
- Final Presentation (20%)
- Event Attendance (20%)

Attendance & Participation
All classes should be attended. However, if you anticipate an upcoming conflict with reasonable request, please notify the facilitator by email 48 hours beforehand and you may be excused from class upon confirmation. Even though this is an R’Course, active participation, asking questions that are relevant to the subject, and being mindful and respectful of the background and opinions’ of your peers is still expected.

Learning Objectives:
At the end of the term, participants will be able to:

1. Develop a historical understanding of the conflict in the Middle East.
2. Develop an understanding of differing perspectives of the people of the Middle East conflict.
3. Develop an understanding of Palestinian voices through contemporary literature and media.
4. Show an understanding of students’ personal relation in the conflict and how it affects them, as well as how to develop the skills to communicate their understanding to others.
Course Schedule

Week 1: Introduction to the Palestine


Reading: Edward Said, The Question of Palestine, Introduction and Chapter 1

Discussion: An introduction to understanding the occupation of Palestine 1948-present; (Land, Water, Displacement)

Week 2: Settler-Colonialism and Apartheid


Discussion: Understanding how settler-colonialism and apartheid function in Palestine, and the particularities of the Palestinian experience. (Occupation, the wall, checkpoints)

Week 3: Settler-Colonialism and Apartheid Part 2

Reading: Saree Makdisi’s Palestine Inside Out and Neve Gordon’s Israel’s Occupation

Discussion on the novel and what we discussed last week on checkpoints, the wall, and occupation.

Week 4: Refugeehood and Exile

David Grossman, Writing in the Dark ch.1

Discussion: Guest Speaker to speak about the conditions for Palestinian refugees in Iraq, Syria, Lebanon and Jordan as well as Palestinian Diaspora transnationally.

Week 5: Love Under Apartheid and Women’s Resilience

Watch Omar [2013, film, 96 minutes: http://www.imdb.com/title/tt2852406/]
Reading: Love Under Apartheid Blogs, Al Qaws and Aswat Statements, Lena Meari, Sumud: A Philosophy of Confronting Interrogation.

**Week 6: Palestinian Youth Movements and Cultural Resilience**
Readings: Sunaina Maira, Jil Oslo: Palestinian hip hop, Youth Culture and the Youth Movement Introduction,

Discussion: watch Palestinian hip hop video’s DAM and Shadia Mansour, discuss how artistic expression can become an outlet for cultural resilience, survival and resistance


**Week 7: Palestine and the International Community**

Reading: Nora Barrows Friedman: In Our Power: U.S. Students Organize for Justice in Palestine, Introduction and Chapter 1

Discussion: The role of the UN, ICC, International Law and International Civil society in the supporting the occupation and supporting the struggle against the occupation.

**Week 8: Oral History Testimonies:**

Discussion: Guest Community Elder to come and discuss the history of the Palestinian struggle and exile, the importance of archiving our histories and Oral history practice.

Watch: 5 Broken Cameras [2011, Documentary, 94 mins: http://www.imdb.com/title/tt2125423/?ref_=fn_al_tt_1]

**Week 9: Future Possibilities:**

Reading: Ali Abunimah, One Country, Chapter five and 6.

Reading: Benny Morris, One State, Two States, pp. 161-201

Discussion: Outlining possibilities for the future of the struggle and Palestinian people. Considering ways in which the international community can play an ethical, responsible and supportive role in allowing the Palestinian people to achieve full self-determination.

**Week 10: Review of course material and presentations**
Appendix #5
Committee on Educational Policy
R’Courses - Student-Initiated Courses at UC Riverside
(Updated 2/24/15)

Introduction

Student-initiated courses have been held on UC campuses since the 1960s, and today, at least six campuses in the UC system have a program through which students can initiate, develop, and facilitate a for-credit seminar or project. At UCR, at least two student groups have pursued this type of activity with the aid of a structured program before the pilot launch of student-initiated R‘Courses in Spring of 2014. Since several UC campuses successfully offer student-initiated and facilitated courses and the UCR pilot program has demonstrated feasibility and student interest, the Committee on Educational Policy (CEP) is proposing a formal program modeled after those at other UC campuses to ensure the quality of the educational experience for students and facilitators, increase the variety of seminar topics available for students, and encourage student engagement through group learning experiences.

Student-Initiated Courses on Other UC Campuses

Table 1 shows key characteristics of the programs at UCI, UCB, UCLA, UCD, UCSC, UCSB and UCSD. The models differ in their degree of centralization and structure. UCB has decentralized control of the courses almost completely to the faculty and departments. UCI, UCLA, and UCD provide more structure for facilitator training and faculty mentorship. UCSC offers courses through their Education for Sustainable Living Program (ESLP), in which students can earn academic credit for participating in student-led sections of a broad course on sustainability. UCD and UCSB have offered student-led courses through their ESLP chapters, and recently both campuses have developed initiatives to broaden the scope of student-led courses.

R’Courses Program Overview

The objective of R’Courses is to provide an opportunity for undergraduate students at UCR to develop and facilitate courses on topics that highlight their expertise and that their peers can take for credit. The main challenge is soliciting, developing, and delivering a course in a time frame that accommodates a student’s limited tenure at UCR, and yet incorporates proper oversight to ensure a quality educational experience for enrolled students that is worthy of academic credit. For new regular courses, a full faculty review requires approvals from the program/department, college/school executive committee, and the Committee on Courses --a process that can take as long as a year. Along with the time needed to solicit proposals and deliver the course, the duration of the regular process can be prohibitively long for an undergraduate student.

R’Courses address this challenge with an abbreviated review process that is augmented by faculty oversight and training of the student instructor, referred to as the facilitator. The complete
program, from the solicitation for new courses to the completion of the facilitator’s course will occur within 3 regular academic quarters: for example, for courses offered in Spring quarter, the solicitation and selection of proposals occurs in the Fall, course development and facilitator training occurs in the Winter, and course delivery occurs in the Spring. Similar three-quarter cycles apply to courses offered in the Fall and Winter quarters. Responsibility for the operation of the program, selecting the proposals, and ensuring that the courses offered satisfy UCR’s educational standards rests with departmental leadership and with a Governing Board (described below). This Board will ensure that the facilitator is adequately trained as an instructor. A faculty mentor will assist the Board by working directly with the facilitator in developing the syllabus, providing meaningful resources, and grading student work.
Table 1: Characteristics of student-initiated courses at other UC campuses.

<table>
<thead>
<tr>
<th>Campus</th>
<th>Program</th>
<th>Year Founded</th>
<th>Units &amp; Grading Scheme</th>
<th>Courses Offered Each Term</th>
<th>Credit for Enrolled Students</th>
<th>Credit for Facilitator (when taught)</th>
<th>Course Funding</th>
<th>Facilitator Training</th>
</tr>
</thead>
<tbody>
<tr>
<td>UC Irvine</td>
<td>UTeach</td>
<td>2007</td>
<td>1 unit Pass/No Pass</td>
<td>15-20 (spring quarter only)</td>
<td>1 Unit University Studies 7</td>
<td>2 Units University Studies 197 C</td>
<td>Funded by Academic Affairs through ASUCI.</td>
<td>Fall: University Studies 197A for 2 units (letter grade)</td>
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<td></td>
<td>Winter: University Studies 197B for 2 units (P/NP only—12 student cap)</td>
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<td></td>
<td></td>
<td></td>
<td>Spring: University Studies 197C (1 hour weekly meetings) for 2 units (P/NP only)</td>
<td></td>
</tr>
<tr>
<td>UC Berkeley</td>
<td>DeCal</td>
<td>1965</td>
<td>1-4 units S/NC</td>
<td>190</td>
<td>Housed in departments under 93/198 for student</td>
<td>Housed in the faculty advisor’s department as Special</td>
<td>Facilitators can apply for an Education Enhancement Fund grant, through the Optional workshops and education class through The Undergraduate Course Facilitator</td>
<td></td>
</tr>
<tr>
<td>Institution</td>
<td>Program Name</td>
<td>Year</td>
<td>Units</td>
<td>Housed In</td>
<td>Notes</td>
<td>Training &amp; Resources</td>
<td></td>
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</tr>
<tr>
<td>UC Los Angeles</td>
<td>Undergraduate Student Initiated Education (USIE)</td>
<td>2005</td>
<td>15</td>
<td>Departments - 88S</td>
<td>188S</td>
<td>ASUC. EEF is especially for DeCal and other independent student-initiated courses. DeCal provides $10 copy cards for facilitators who want to print materials for their course.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>UC Davis</td>
<td>Student Facilitated Courses</td>
<td>2014</td>
<td>Variable units Pass/No Pass</td>
<td>Initial proposal from dept—then departments can offer courses independent Housed in departments - 199FB</td>
<td>Not available. Students can make copies in Undergraduate Education office or Faculty sponsor’s department. Facilitators must take Honors 101E pedagogy seminar</td>
<td>Facilitators must pass 199FA with same faculty prior to offering the course and take 199FB during the course. Faculty must be present in</td>
<td></td>
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</tr>
<tr>
<td>Institution</td>
<td>Program Description</td>
<td>Start Year</td>
<td>Units</td>
<td>Course Code(s)</td>
<td>Funding Source</td>
<td>Requirement</td>
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<tr>
<td>UC Santa Cruz</td>
<td>Education for Sustainable Living Program (ESLP)</td>
<td>2003</td>
<td>2 or 5 units Graded</td>
<td>College 8: either 61 (2 units) or 161 (5 units)</td>
<td>Through Campus Sustainability Fund (all courses relate to sustainability)</td>
<td>Required Winter quarter training seminar (160)—5 unit graded</td>
<td></td>
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<tr>
<td>UC Santa Barbara</td>
<td>ES LP</td>
<td>2005</td>
<td>4 units</td>
<td>In process</td>
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<tr>
<td></td>
<td>SIDE (Student Initiated Democratic Education)</td>
<td></td>
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<tr>
<td>UC San Diego</td>
<td>Office of Academic Affairs: Student Initiated Courses</td>
<td>A goal for 2014-2015</td>
<td></td>
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</tr>
</tbody>
</table>
R’Courses Governing Board and Senate Oversight

The R’Courses Governing Board is charged with providing direction and oversight for the program. The Academic Senate delegates to this Board the responsibility for setting the educational standards for R’Courses and for ensuring that these standards are maintained. To support the program, this Board will solicit, review, and select proposals for R’Course offerings. This includes establishing a recruitment program with informational sessions at popular student venues. It also has responsibility for training the facilitators, and it will coordinate this activity and course preparation with the facilitator’s faculty mentor. If the educational quality of the course is substandard, the Board has the authority to intervene and terminate a course prior to the beginning of the quarter of instruction if corrective measures are not possible. The Governing Board will work with the Office of Undergraduate Education staff to publicize R’Courses, provide training sessions for facilitators and ensure program resources are available. The Board will meet at least once during each regular academic quarter. At these meetings the board will: assess outcomes from the previous quarter; assess instructor readiness and provide final approval for courses to be delivered in the next quarter; review and select courses to be offered two quarters hence, and review the training program to be offered next quarter for instructors of these courses.

Given the primary role in curriculum oversight, Senate representation on the Governing Board is crucial. The Governing Board’s membership is composed of at least three members of the Academic Senate, one undergraduate student, and two ex-officio members from the administration. The faculty from the Academic Senate have voting privileges, and the rest of the membership is nonvoting. The Committee on Committees will appoint the three faculty and designate which of the three members from the Academic Senate is the Board’s Chair. It is highly recommended that at least one of the appointees is a former faculty mentor for an R’Course, and at least one is a former member of either the Committee on Courses or CEP. The Academic Senate will appoint the student representative according to the standard process for student appointments. The two ex-officio members are the Assistant Vice Provost of Undergraduate Education and the Coordinator of Educational Initiatives. The primary role of the ex-officio members is to coordinate resources with the Office of Undergraduate Education. All appointments are for one year with the expectation that the faculty appointments will be renewed for a total term of three years. Additional non-voting staff can be appointed by the VPUE if workload or expertise warrants it.

Official Senate oversight will be provided by the Committee on Courses and CEP, and to enable this mandate, these committees will receive an annual report from the Governing Board on the status of the program. If concerns arise, the Committee on Courses will provide feedback. At the completion of the program’s fourth year, the CEP will conduct an internal review with the objective of determining if this program meets the academic standards of the Senate and provides a worthwhile experience to the students. During this initial period, the program should solicit
feedback on the quality of the program from students who take R’Courses, the facilitators, and the mentors. At the time of the review, this information will be provided to the CEP.

Facilitator Proposals

Student proposals should include enough information so that the Governing Board can assess the quality of the course content, its uniqueness relative to other offerings at UCR, and the potential of the student as a facilitator. Student facilitators should have at least sophomore standing at the time of submitting the proposal, and must maintain at least a 3.0 GPA throughout the three-quarter R’Courses cycle. The course plan in this document includes a syllabus with course and learning objectives, proposed activities, assignments and readings, and the assessment criteria. Students preparing a proposal will be instructed to review the Committee on Courses General Rules and Policies Governing Courses of Instruction (http://senate.ucr.edu/committee/8/Guidelines%202010-11%20final.pdf), particularly Appendix 1A- Minimum Hours Per Week Per Unit and Appendix 1B, to justify the workload and assigned units.

Each student applicant also must identify a faculty mentor who will assist him/her with developing the course and with training. After reviewing the proposal, the faculty mentor must sign a mentor agreement if they approve the concept and are willing to assist the facilitator by fulfilling the terms outlined in the agreement. The mentor will also be the instructor of record for the courses enrolled in and offered by the facilitator. This activity can be included in the faculty member’s merit and promotion file as an Undergraduate Mentorship experience.

Legal and Ethical Liability

Undergraduates involved in research at UCR are required to sign a waiver/release form on safety issues and the same procedures would be followed for students facilitating. A similar procedure will be used with the facilitators in R’Courses. Instruction on ethical conduct and relevant university policy will be incorporated in the Winter training program. Final responsibility for the course resides with the faculty mentor and the university. Clarification and disclaimers regarding these issues will be provided to the students in the course information.

Proposed Credit and Training Structure for R’Courses at UCR

Each R’Course will be designated as a 198 course for independent study in the home department of the faculty mentor. The R’Course proposal will require approval from both the faculty mentor and the Chair of the hosting department. Each department housing an R’Course will need to complete a new course proposal the first time an R’Course is offered (all subsequent offerings of the same course will not require Governing Board approval). These initial 198 courses should be approved as S/NC with variable topics. If for some reason, the Governing Board concludes after reviewing the course that the content is better aligned with another program and a faculty mentor in that program is not available, approvals from the alternative department, the mentor, and the
Committee on Courses are required. These courses will be offered for credit utilizing the S/NC grading system to matriculated undergraduate students at UCR for 1 unit, consistent with the Committee on Courses guidelines for determining unit count. Students will be limited to no more than two R’Courses per year and no more than eight during their undergraduate careers. R’Courses will count against the campus limit on S/NC unit accumulation at the time of graduation, as well as any other college or program limits on S/NC enrollment or credit. Units accumulated through R’Courses cannot fulfill major requirements.

The facilitators with successful proposals will participate in a regular 190 course with their faculty mentor to develop the course syllabus and materials (1-4 units, either graded or S/NC as determined by faculty mentor), as well as five mandatory workshops, each one lasting two hours, during the Winter quarter to provide core training in instructional techniques, course development, and course management. An outline of the syllabus for these workshops is in Appendix 1. At this time, the facilitators should be developing their course content and consulting on a regular basis with their faculty mentors. Toward the end of the Winter quarter, each facilitator will be required to rehearse a lesson with the other facilitators during one of the mandatory workshops. The Governing Board will be responsible for organizing the workshops and practice sessions and finding workshop instructors. Course development and facilitator training must be completed with final approval from the Governing Board by the beginning of week 10 of the Winter quarter. Facilitators will also have the option to enroll in the 190 course with the same faculty mentor again when they deliver the course during the Spring quarter. One requirement of the 190 credits/facilitator workshops will be for the facilitator to submit self-assessments at the end of the Winter and Spring quarters. Facilitators are limited to developing one R’Course per year.

The faculty mentor will be the instructor of record for both the facilitator’s training 190 and the 198 course associated with the facilitator, and will have final responsibility for the grades issued for these courses. UCR’s registrar has assured that there should be no problem fitting R’Courses into the existing structure after approval of a designated course number by the Committee on Courses. Funding for this program should be minimal, and the source of this support will come from Undergraduate Education Awards and/or ASUCR. Initially, we expect 10-15 of these courses will be offered each year.

For the 2014-2015 academic year, the proposed scheduling cycle is outlined below in Table 2. In 2015-2016, we would continue the same cycle, while adding a call for proposals in the Spring of 2015, course development and training during Fall, and course delivery during the Winter quarter of 2016. Given the success and demand of the program (as determined by the R’Course Governing Board), an additional call for proposals could be added in the Winter of 2016, with course development and training during Spring, and course delivery during Fall of 2016.
Table 2: R’Courses scheduling cycle.

**Fall Quarter**

<table>
<thead>
<tr>
<th>Week</th>
<th>R’Courses Board</th>
<th>Facilitator</th>
<th>Faculty Mentor</th>
<th>Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-3</td>
<td>Publicize program with Scotmail announcements and information sessions.</td>
<td></td>
<td></td>
<td>$25 for Scotmail, $25 in copies for promotional material.</td>
</tr>
<tr>
<td>2</td>
<td>Orientation meeting.</td>
<td></td>
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<tr>
<td>2-8</td>
<td></td>
<td>Prepare proposal and identify faculty mentor. Acquire required approvals.</td>
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<tr>
<td>4</td>
<td>Organize and schedule training workshops for Winter quarter. Meet with the workshop instructors.</td>
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<tr>
<td>7</td>
<td></td>
<td>Complete review and approve facilitator’s proposal.</td>
<td></td>
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<tr>
<td>8</td>
<td></td>
<td>Deadline to submit proposal to Board.</td>
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<tr>
<td>9</td>
<td>Process and review proposals.</td>
<td></td>
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<tr>
<td>10</td>
<td>Announce successful proposals. Provide</td>
<td></td>
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<tr>
<td>Week(s)</td>
<td>Task Description</td>
<td>Support Material</td>
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</tr>
<tr>
<td>1-10</td>
<td>Promote R’Courses offered in Spring quarter.</td>
<td>Promotional materials.</td>
<td></td>
<td></td>
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<tr>
<td>2</td>
<td>Schedule Spring R’Courses in time for student registration.</td>
<td></td>
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<tr>
<td>2-5</td>
<td>Offer training workshops</td>
<td>Attend training workshops.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4-9</td>
<td>Develop course and study instructional techniques.</td>
<td>Schedule periodic meetings with the facilitator. Assist facilitator with course development and instructional techniques.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7-9</td>
<td>Offer practice sessions</td>
<td>Attend practice sessions.</td>
<td></td>
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<tr>
<td>9-10</td>
<td>Review and provide final approval for R’Courses.</td>
<td>Make revisions based on feedback from final review.</td>
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<td></td>
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<td>Compete preparations on course’s iLearn page.</td>
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<tr>
<td>10</td>
<td>Host certification ceremony.</td>
<td>Submit self-assessment on course preparation to mentor. Attend</td>
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<tr>
<td></td>
<td></td>
<td>Funds for certification ceremony.</td>
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<tr>
<td>Certification ceremony</td>
<td>Final preparation for instruction.</td>
<td>Submit facilitator’s grade for 190.</td>
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<tr>
<td><strong>Finals</strong></td>
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</tbody>
</table>

**Spring Quarter**

<table>
<thead>
<tr>
<th>1-10</th>
<th>Facilitate R’Course.</th>
<th>Periodically meet with the facilitator, and observe instruction.</th>
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<tbody>
<tr>
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<tr>
<td>9</td>
<td>Solicit feedback from R’Course students, facilitators and mentors. May have meeting with facilitators and mentors.</td>
<td>Submit all course reimbursements. Provide feedback to Governing Board.</td>
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<td></td>
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<tr>
<td>10</td>
<td>Distribute reimbursements.</td>
<td>Submit self-assessment on course delivery to mentor.</td>
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</tr>
<tr>
<td>Finals</td>
<td>All student assessments must be submitted to mentor.</td>
<td>Submit facilitator’s grade for 190 (if taken). Submit students’ grades for R’Course 198.</td>
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<tr>
<td></td>
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<tr>
<td>After Spring Quarter</td>
<td>Meeting to review program and plan next year’s program.</td>
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</table>

**Results from the Pilot R’Courses**
A student-initiated seminar on gardening was offered during the Winter quarter of 2013 at UCR, and nine R’Courses were piloted in Spring of 2014. A summary of these pilot courses is provided in table 2, and a sample proposal/syllabus from one course (Issues in Disney: Race, Gender, and Sexuality) is included in Appendix 3. Feedback received from facilitators, students, and faculty has been very positive overall; representative comments are provided below.

**Table 3: Summary of Spring 2014 pilot R’Courses.**

<table>
<thead>
<tr>
<th>Course Title</th>
<th># Students</th>
<th>Student Facilitator(s)</th>
<th>Course Number</th>
<th>Section Number</th>
<th>Day/Time</th>
<th>Location</th>
<th>Faculty Advisor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender Transgression and the State</td>
<td>9</td>
<td>Joseph Montoya</td>
<td>WMST190</td>
<td>76W</td>
<td>R/4:10-5:30</td>
<td>INTN 2043</td>
<td>Jane Ward</td>
</tr>
<tr>
<td>Walking Dead and Our Underlying Culture</td>
<td>24</td>
<td>Colette King</td>
<td>ENGL190</td>
<td>28V</td>
<td>W/4:00-6:00</td>
<td>Surge 308</td>
<td>Sherryl Vint</td>
</tr>
<tr>
<td>Issues in Disney: Race, Gender and Sexuality</td>
<td>18</td>
<td>Michael Turcios</td>
<td>ETST190</td>
<td>90C</td>
<td>T/1:10-3:00</td>
<td>INTN 4043</td>
<td>Amalia Cabezas</td>
</tr>
<tr>
<td>Revolution</td>
<td>13</td>
<td>Shreyas Doshi</td>
<td>POSC190</td>
<td>27L</td>
<td>T/4:00-6:00</td>
<td>Watkins 1117</td>
<td>John Laursen</td>
</tr>
<tr>
<td>Business and Politics in U.S. Education</td>
<td>10</td>
<td>Armando Saldana, Rebecca Park</td>
<td>CHFY198i</td>
<td>59C</td>
<td>W/11:10-12</td>
<td>HMNSS 1502</td>
<td>Geoff Cohen</td>
</tr>
<tr>
<td>We are Powerful 001</td>
<td>9</td>
<td>Kareem Aref, Christopher Sanchez</td>
<td>SOC 190</td>
<td>84C</td>
<td>WF/11:10-12:00</td>
<td>ASUCR Senate</td>
<td>Christopher Chase-Dunn</td>
</tr>
<tr>
<td>Indie Cinema and Aesthetic</td>
<td>7</td>
<td>Genevieve Newman</td>
<td>MCS 190</td>
<td>41H</td>
<td>M/2:30-4:30</td>
<td>INTS 3154</td>
<td>Keith Harris</td>
</tr>
<tr>
<td>Urban Garden Seminar: Implications of</td>
<td>15</td>
<td>Nancy Ocon, Natalie Soto, Pavan Rami</td>
<td>WMST190</td>
<td>83H</td>
<td>R/11:10-2:00</td>
<td>INTN 2043</td>
<td>Tamara Ho</td>
</tr>
<tr>
<td>our Food System</td>
<td>Porsche White</td>
<td>Logic and Creativity</td>
<td>6</td>
<td>Michael Graham</td>
<td>PHIL 190</td>
<td>09W</td>
<td>MW/2: 10-3 00</td>
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<tr>
<td>Totals</td>
<td>111 students enrolled</td>
<td>14 facilitators</td>
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</tr>
</tbody>
</table>

Comments from student facilitators:

“The opportunity to share and create ideas with fellow students is quite special. Discussion is the most fruitful mode of creating ideas with other students.”

“I think the students’ eagerness and interest to learn about the subject was the biggest strengths of the class. I also think the syllabus was what really helped the class throughout the quarter because in each class I already knew what we had planned and so did the students.”

“My faculty mentor helped me a lot with the foundation of the class and how it should be structured. I believe this is what really helped the class to be taken seriously by the students and helped the class run smoothly throughout the quarter.”

“The discussion style seminar is best to come up collaboratively with ideas.”

Advice for future facilitators: “Don’t try to be a professor, you are a facilitator of discussion . . . we are all learning from each other as undergraduates at UCR.”

Comments from student participants:

“I really enjoyed the course and I think these courses allow students to take classes on subject matter that they're actually interested in.” (From Business and Politics)

“The student instructor was helpful, and genuinely interested in teaching this course.” (Walking Dead)

“Students who have similar other course requirements are instructing students get the chance to grow and become real intellectuals.” (Disney)

“It was accessible and I felt encourages to be open and share my ideas because the facilitator is an undergrad student like me.” (Gender Transgression)

“Really interesting (therefore motivating) material for the class.” (Indie Cinema)
Overall Pilot Evaluation:

Staff from Undergraduate Education visited each of the 9 R Courses during the last week of each course to conduct surveys (with 81 respondents). The governing board met at the end of the semester to debrief, hear from a student facilitator, and discuss some of the results from the surveys and SIS data. The following points highlight the conversation in this meeting.

Successes:

- Student interest and participation (111 students enrolled in 9 courses)
- Strong proposals with clear objectives and activities made stronger with affirming and critical feedback from the governing board (majority of participants could articulate course objectives)
- Diversity of participants (2.87 cumulative GPA; 95% non-honors participation)
- Some good models for faculty mentoring (meeting weekly or regular email communication)
- Facilitator workshops incorporating discussion strategies, readings on democratic education, writing prompt and rubric training, etc.
- Positive course evaluations (students felt the syllabus and objectives were clear)

Challenges:

- Grading Basis: Of the 111 students, 69 S/NC (62%), 41 had no grade type specified (37%), 1 letter grade (1%)
- Registration Process: Not streamlined—some able to register online, some had to email the advisors
- Weight on Facilitators: Facilitators poured a great deal of academic time and energy into the courses with no additional units given
- Student Participation: In some cases, student participants did not prioritize the course work (because it was S/NC, because it was 1 or 2 units, or because it was a fellow student)
- Faculty/department involvement: Variable—in some cases there was great collaboration, in others the expectations were unclear
- Number of units: Unclear whether courses could/should be 1 or 2 units
• Attendance at Facilitator workshops: Most facilitators attended at least one and followed up on the information if they could not attend. But since they were scheduled late, there were many class conflicts.

Recommendations:

• Create a new course number to differentiate from the 190 series AND/OR . . .

• Clarify registration process: require students to go through department advisors for registration and to sign a waiver allowing the advisor to change their grading basis to S/NC

• Orientation for faculty and advisors

• Hold mandatory information session before each course in which the registration/grading policies are clarified with students

• Facilitator training course

• Clarify expectations with departments and faculty regarding regular meetings

• Impose a maximum number of R’Course units students can take

• Clarify the annual R’Course cycle (see Table 2 for the full proposed cycle)
Appendix 1: Sample Syllabus for Training Workshop

Democratic Pedagogy: Developing R'Courses

Winter 2015

Location and Time TBA

COURSE DESCRIPTION

This course is designed to support the R’Courses process of student-facilitated learning by providing a space for student facilitators to discuss pedagogical theory and practice, and to prepare meaningful resources and discussions. Throughout the quarter, we will examine the ways in which we can be create significant learning experiences for ourselves and for other student learners. We will:

- Critically analyze both historical and contemporary pedagogical theory and practice
- Define and clarify the role of the effective facilitator
- Learn how to create successful educational experiences through innovative course design and for diverse learners

As we explore different pedagogical concepts and learning models, we will begin to formulate what, to us, constitute exceptional teaching and learning experiences. Throughout the quarter, you will experiment with the design and implementation of different educational experiences. Within this process, you will also have the opportunity to practice your facilitation skills and receive supportive and honest feedback from other members of the course.

LEARNING OBJECTIVES

At the end of the term, participants will:

Develop Significant Learning Experiences for Undergraduates

- by creating a course syllabus and accompanying lesson plans that effectively meet the needs of a diverse group of students with different learning styles and life experiences
- by utilizing course assessment tools to facilitate reflection on how to improve teaching and/or course design
- by receiving and providing supportive, constructive, and sometimes challenging feedback
- by growing and practicing flexible and dynamic facilitation skills to navigate, observe, and attend to often complex group dynamics within a university classroom.
Appendix #6
May 27, 2015

To: Jose Wudka
Riverside Division Academic Senate

From: Ward Beyermann, Chair
Committee on Academic Freedom

Re: CAF’s response to R-Course entitled “Palestinian Voices”

In the Spring quarter of 2015, a one-unit R-Course entitled *Palestinian Voices* is being taught by the facilitator, Tina Matar, under the supervision of Professor David Lloyd. The controversial nature of the course’s content has resulted in allegations of misconduct, mostly from external groups, directed toward the course, UCR’s Administration and UCR’s Division of the Academic Senate. In keeping with our charge, the Committee on Academic Freedom (CAF) of UCR’s Division of the Academic Senate decided to opine on this matter.

A number of issues have been raised regarding the course review process and whether it conforms to University policy, the educational merits of the course and finally academic freedom. This response focuses on the last concern.

Fundamental to university scholarship and the dissemination of that scholarship through the University’s educational mission are freedom of expression and the professional autonomy of the professoriate as embodied in academic freedom. This principle and its relationship to discourse on controversial issues is reflected in the statement posted on CAF’s web site, which was adopted by Academic Council on April 1, 2015 and endorsed by this committee on May 11, 2015. The importance of Academic Freedom is acknowledged at the highest levels by Regent’s Standing Order 105.2 and Regents Policy 2301. Policy 2301 is specific to course content, and relevant to this situation, it states that political indoctrination constitutes a misuse of the classroom. However, this statement should not be misconstrued as a mandate to exclude the instructor’s viewpoint from the curriculum. In fact many courses in the University reflect the perspective of the instructor even when that perspective is controversial; yet these courses still play a vital role in the educational process of the University because they comply with relevant professional standards of scholarship and teaching. To quote Robert Post¹, “There is no academic norm that prohibits scholarship from communicating definite viewpoints about important and controversial questions, like democracy, human rights or the welfare state.”

One can ask the question, at what point does instruction with a perspective cross the line to become political indoctrination in violation of Regents policy 2301? An important
distinction here is whether there are clear inaccuracies in factual information that are intentionally used to project a distorted message. This issue and the overall educational merit of the course are decided by a review process authorized by the Academic Senate in accordance with the Regents Orders, UC policies and UC bylaws. For the course entitled *Palestinian Voices*, the educational merits were vetted and judged compliant with academic standards by the faculty member serving as the course advisor, the Chair of the English Department, several other faculty in the Department of Middle Eastern and Ethnic Studies and finally by the Governing Board for the R-Courses program. This review process, which was authorized by the Senate, includes Senate representation at every level. CAF found no reason to doubt the proficiency of this process. For the University administration to interfere in this course simply on the grounds of the inflammatory nature of its content is a clear violation of the academic freedoms of the facilitator and faculty advisor. The fact that the facilitator in this course is an undergraduate student has no bearing on her academic freedoms because these rights extend to the whole campus community. Separate from this issue is her ability to conduct the class in a manner consistent with UC’s educational standards, and again to insure these standards are met, a mechanism is in place to train the facilitator and to monitor her engagement in the course.

As with the facilitator, the students enrolled in the course are entitled to these same freedoms. They have the right to think freely and to have their work evaluated on its merits without discrimination. At this point in time, CAF has seen no evidence that the free expression of the students enrolled in *Palestinian Voices* is subjugated.

May 26, 2015
Appendix #7
1-1-2003

Academic Freedom and the "Intifada Curriculum"

Robert C. Post
Yale Law School

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Academic Freedom and the
"Intifada Curriculum"

BY ROBERT C. POST

In early May 2002, the English department of the University of California, Berkeley, published a description on its Web site of a section of English R.1A, a course in basic reading and writing skills. The course was titled "The Politics and Poetics of Palestinian Resistance." The course description explained, in provocative terms, the context of the Palestinian Intifada and its relationship to Palestinian writing; it closed with the warning that "conservative thinkers are encouraged to seek other sections." The course description quickly became a hot topic in the national media, with appearances by the course instructor, a graduate student, on CNN's Hardball. An editorial in the Wall Street Journal decried the "Intifada curriculum" as one symptom of American universities' being "behind the leftists' ideology.

Taken by surprise, the UC Berkeley English department asked the course instructor to revise his description. By July, working with the department, the instructor had published a new description. During the same time, the president of the University of California, Richard Atkinson, asked Robert C. Post, the author of the text that appears below, to review the issues of academic freedom and governance raised by the controversy surrounding the course. Here is Post's August 12, 2002, letter to Atkinson, reprinted with the omission of some footnotes.

DEAR PRESIDENT ATKINSON:

You have asked me to discuss the issues of academic freedom and responsibility raised by the controversy surrounding "The Politics and Poetics of Palestinian Resistance," a section of English R.1A to be taught in fall 2002 at the University of California, Berkeley.

These issues are multiple, novel, and complex. Because time is short, I can at best offer a preliminary evaluation that seeks to identify the most prominent of these issues and to suggest how they might be analyzed and resolved.

English R.1A is a course that instructs undergraduates in basic skills of reading and writing. The course is offered in approximately sixty sections, each designed and taught by a graduate student instructor. The section entitled "The Politics and Poetics of Palestinian Resistance" became controversial because of its initial course description, which read:

Robert Post is Alexander F. and May T. Morrison Professor of Law at the University of California, Berkeley, and a member of the AAUP's Committee A on Academic Freedom and Tenure.

Course Description. Since the inception of the Intifada in September of 2000, Palestinians have been fighting for their right to exist. The brutal Israeli military occupation of Palestine, an occupation that has been ongoing since 1948, has systematically displaced, killed, and maimed millions of Palestinian people. And yet, from under the brutal weight of the occupation, Palestinians have produced their own culture and poetry of resistance. This class will examine the history of the Palestinian resistance and the way that it is narrated by Palestinians in order to produce an understanding of the Intifada and to develop a coherent political analysis of the situation. This class takes as its starting point the right of Palestinians to fight for their own self-determination. Conservative thinkers are encouraged to seek other sections.

This course description was plainly unacceptable. After much discussion and many drafts, the description, which is posted on the Web site of the Berkeley English department, was altered to read:

This is a course on Palestinian resistance poetry. It takes as its point of departure the Palestinian literature that has developed since the creation of the state of Israel in 1948, which has displaced, maimed, and killed many
Palestinian people. The Israeli military occupation of historic Palestine has caused unspeakable suffering. Since the occupation, Palestinians have been fighting for their right to exist. And yet, from under the weight of this occupation, Palestinians have produced their own culture and poetry of resistance. This class will examine the history of the Palestinian resistance and the way that it is narrated by Palestinians. This class takes as its conceptual starting point the right of Palestinians to fight for their own self-determination. Discussions about the literature will focus on several intersecting themes: how are Palestinian artists able to imagine art under the occupation; what consequences does resistance have on the character of the art that is produced (i.e., why are there so few Palestinian epics and plays and comedies); can one represent the Israeli occupation in art; what is the difference between political art and propaganda and how do the debates about those terms influence the production of literature; how do poems represent the desire to escape and the longing for home simultaneously (alternatively, how do poems represent the nation without a state); what consequence do political debates have on formal innovations and their reproduction; and what are the obligations of artists in representing the occupation? This 1A course offers students frequent practice in a variety of forms of discourse leading toward exposition and argumentation in common standard English. The course aims at continuing to develop the students' practical fluency with sentence, paragraph, and thesis-development skills but with increasingly complex applications. Students will be assigned a number of short essays (two to four written pages) and several revisions.

We seek to inculcate skills that are relevant to a world of engaged and sometimes tempestuous citizenship.

This version of the course description was subsequently approved by the Berkeley Division of the Academic Senate.

At least three distinct questions may be asked of "The Politics and Poetics of Palestinian Resistance": (1) Is it proper for a course to use the literature of the Palestinian people in order to teach basic skills in reading and writing? (2) Was it proper for the Academic Senate to approve the final version of the course description? (3) Will the actual teaching of the course be consistent with academic standards?

The first question is easily answered. The general design of "The Politics and Poetics of Palestinian Resistance" is clearly acceptable. Basic reading and writing skills are now commonly taught in the context of close textual study. Most major universities believe that any reasonably sophisticated set of texts can be used for this purpose, and the literature of the Palestinian people certainly meets this test. The only question is whether the political debate that surrounds the Israeli-Palestinian controversy is so distracting as to render this literature an inappropriate vehicle for the study of basic skills in reading and writing. The University of California offers instruction in such skills, however, precisely so that our students can learn to think and write about issues that are of importance to them, and these issues are frequently contentious. We seek to inculcate skills that are relevant to a world of engaged and sometimes tempestuous citizenship, and in that context the controversial nature of the reading list of "The Politics and Poetics of Palestinian Resistance" can actually be seen as an asset rather than a liability.

The second question, by contrast, is difficult and uncertain. The exact status of course catalogues is an unresolved question. The regents [of the University of California] have allocated supervision over the content of course catalogues to the Academic Senate. Standing Order 105.2 delegates to the senate the power to "authorize and supervise all courses and curricula" offered in the University of California. In practice, this power is exercised by the "committees on courses" that operate on each campus. It is pursuant to this practice that the Berkeley Division of the Academic Senate has approved the reading list and the final version of the course description of "The Politics and Poetics of Palestinian Resistance."

Standing Order 105.2 represents the regents' commitment to a principle of academic freedom that is historically and theoretically fundamental: university scholarship, and the teaching that expresses and transmits that scholarship, is to be understood as a matter of professional knowledge. It follows from this principle that evaluation of scholarship and teaching is to be entrusted to the judgment of competent professionals, in the form of the corporate body of the faculty. This principle underlies the academic freedom of the entire university, because it distinguishes the enterprise of scholarship from the political governance of the state. The maintenance of this distinction is one of the great achievements of public higher education in the United States. Modern scholarship is built on a foundation that requires the professional autonomy of the professorate.

If Standing Order 105.2 expresses a norm of professional autonomy, the Academic Senate, in exercising that autonomy, must be guided by a second fundamental principle of academic freedom: individual faculty are to be accorded broad freedoms independently to think, write, and engage in research. These freedoms are necessary if the university is to fulfill its function of promoting the advancement of knowledge. Analogous freedoms extend to teaching, where faculty report and explore the results of their scholarly endeavors. Course descriptions are properly characterized as an aspect of teaching, because they initiate the pedagogical relationship between individual faculty and their students.

Senate review of course descriptions, therefore, must both ensure that professional standards have been satisfied and also accord individual faculty members substantial freedom to pursue their own pedagogical agendas. These potentially conflict-
ing imperatives can be reconciled if the senate approves course
descriptions whenever relevant professional standards have
been satisfied. Put another way, the senate should not seek to
regulate course descriptions for reasons that are unrelated to
pertinent professional standards. This implies that it would be
improper for the Academic Senate to disapprove the course
description of “The Politics and Poetics of Palestinian
Resistance” because it might anger state politicians, who
might punish the university. It would be equally improper for
the Academic Senate to disapprove the course description
because it might outrage alumni, who might reduce their
annual contributions to the university. The authority of the
senate to regulate course descriptions extends only to the
application of standards inherent in the professional enterprise
of scholarship and teaching.

This threshold test excludes two common objections to the
course description of “The Politics and Poetics of Palestinian
Resistance.” It is argued, first, that permitting the description
to remain on the English department Web site will place the
university in the unacceptable position of endorsing its inflammatory ideas. This
objection rests on the premise that the university endorses the scholarship and
teaching of its professors. The premise is fundamentally incompatible with the
academic mission of the university. The university employs thousands of faculty
members, who hold a myriad of different standpoints. The resulting diversity is a
great strength of the university. This diversity would vanish, and scholarship and
teaching would grind to a halt, were faculty to be prohibited from expressing
ideas that the university could not itself endorse. It is therefore a basic postulate
that the university no more endorses the diverse ideas of its faculty than it endorses
the contents of the millions of books in its libraries. Whether faculty ideas are
expressed in scholarly publications or in course descriptions, professional standards require that they be regarded as the viewpoint of individual professors, not those of the university.

Second, it has been argued that the course description of
“The Politics and Poetics of Palestinian Resistance” should be
regulated because it is offensive. A robust scholarly dialogue,
however, can be fierce, consequential, and hurtful to those
who care intensely about their ideals. It can produce the kind
of offense experienced by persons when their most precious
beliefs and convictions are ruthlessly attacked. The university
cannot eliminate this form of offense without also strangling
scholarly debate. This form of offense should be distinguished
from that experienced by persons who are assaulted by vicious
language that violates the basic norms of civility that under-
write the practice of rational deliberation.

Although university regulation of such language poses com-
plex and difficult questions, it is sufficient for present purposes
to note that the course description of “The Politics and Poetics
of Palestinian Resistance” is not offensive in this way. It does
not use vituperative epithets or hate speech. If the course
description gives offense, it is because of the substance of its
speech, rather than its manner. This kind of offense cannot be
prevented without simultaneously suppressing the very aca-
demic exchange the university exists to promote. Professional
standards therefore prohibit using such offense as a reason for
regulating teaching or scholarship.

The proper principle that the Academic Senate should
apply in reviewing the course description of “The Politics and
Poetics of Palestinian Resistance” is whether the course
description complies with relevant professional standards. We
can summarize these standards in two requirements: course
descriptions must be educationally justified, and they must not
violate pertinent academic norms. Considering, first, the
question of pedagogical justification, it may be argued that
there is no good educational reason for the course description
of “The Politics and Poetics of Palestinian Resistance” to
include so vivid and forceful a statement of opposition to
Israel’s treatment of the Palestinians. There are exceptional
circumstances, however, when the political viewpoint of faculty is relevant to
how the material of a course will be engaged. When this happens, faculty dis-
closure of their viewpoint in a course description is justified because it enables
students to make more informed choices in selecting their classes. It is thus not
uncommon to see course descriptions that explicitly announce that a given class
will be taught “from the perspective” of free market principles, human rights, or
feminism. The pedagogical reasons for this kind of disclosure do not disappear
merely because the perspective disclosed happens to be highly controversial or
inflammatory.

In applying this analysis to the course description of “The Politics and Poetics
of Palestinian Resistance,” it is correct to
observe that the description exposes the depth of the instruc-
tor’s political opposition to Israel. This disclosure may be justi-
fied, however, because students can select among many sec-
tions of English R1A, and is deciding whether to enroll in
“The Politics and Poetics of Palestinian Resistance,” they may
well want to know the nature and passion of the political per-
spective of the graduate student instructor offering the course.
It is certain that this perspective will inform his approach to
the Palestinian literature that will be studied. There are good
pedagogical reasons, therefore, for the course description of
“The Politics and Poetics of Palestinian Resistance” to disclose
the intense political views of its instructor.

We must distinguish, however, between using a course
description to provide students with pedagogically justified
notice, and using a course description as a platform for political
preaching. It is possible that the rhetoric of a course descrip-
tion can become so excessive or overreaching as to become a
political tract that bears little or no relationship to the peda-
gogical justification of disclosure. Faculty members have no
business using course descriptions for the mere purpose of disseminating their political views.

Determining exactly when a course description outruns the justification of disclosure and becomes instead an example of political preaching involves difficult questions of educational judgment. My own view is that in making such determinations the instructor ought to receive the benefit of the doubt, especially if a course description involves controversial matters, because in such circumstances there will be a strong and natural temptation to dampen the rhetoric of a course description for reasons that have nothing to do with professional standards. According to this view, the course description of "The Politics and Poetics of Palestinian Resistance" would be deemed justified if its rhetoric was arguably necessary in order to provide a pedagogically appropriate disclosure.

Course descriptions must not only be pedagogically justified, they must also comply with relevant academic standards. It might be said that the course description of "The Politics and Poetics of Palestinian Resistance" violates two such standards. The first concerns norms of academic inquiry. It might be argued that the rhetoric of the course description is so militant and one-sided that it is inconsistent with the requirement that scholarship and teaching proceed from an open mind and employ disinterested reason. Those who press this argument urge that the course description be modified so as to reflect both sides of the current debate—for example, by recognizing Israel's right to exist.

This objection, however, misunderstands norms of academic inquiry. Scholarship requires an open mind, but this does not mean that faculty members are unprofessional if they reach definite conclusions. It means rather that faculty must always stand ready to revise their conclusions in light of new evidence or further discussion. Scholarship also requires the exercise of disinterested reason, but this does not mean that faculty are unprofessional if they are urgently committed to a definite point of view. It means rather that faculty must form their point of view by applying professional standards of inquiry rather than by succumbing to external and illegitimate incentives such as monetary gain or political coercion.

There is no academic norm that prohibits scholarship from communicating definite viewpoints about important and controversial questions, like democracy, human rights, or the welfare state. Faculty must be free to communicate these viewpoints in their pedagogy. Political passion is in fact the engine that drives some of the best scholarship and teaching at the University of California. The second academic standard implicated by the course description of "The Politics and Poetics of Palestinian Resistance" involves the academic freedom of students. The political values that faculty inevitably bring to a course, and which they may properly disclose in a course description, can sometimes be expressed in so harsh and excessive a way as to signal to students that differing views will be neither respected nor tolerated. A fundamental principle of university governance, however, requires that students be accorded the right to think freely and to exercise independent judgment. This principle follows from the educational mission of the modern university, which is to encourage students to enrich and deepen their own values and commitments. The principle requires that we evaluate our students solely on the merits of their work. We guarantee that students will not suffer merely because their political perspectives happen to differ from those of their instructor.

If a faculty member harshly expresses very strong political views, however, students may doubt this guarantee. There is thus tension between the necessary freedom of faculty to express their political perspectives, and the essential freedom of students to express differing views. Skillful faculty members can sometimes diffuse this tension by acknowledging their own political commitments in the classroom. The disclosure can only encourage students to perceive and discount the implicit bias of their instructor, but, if properly done, can also serve explicitly to authorize students to express different perspectives.

Unfortunately, the course description of "The Politics and Poetics of Palestinian Resistance" displays no such pedagogical subtlety. What made the original draft of the course description so coarse and unacceptable was its nearly explicit suggestion that the graduate student instructor would not tolerate student perspectives that differed from his own. (Recall that the original draft of the course description said that "conservative thinkers are encouraged to seek other sections.") In approving the final version of the course description of "The Politics and Poetics of Palestinian Resistance," therefore, a relevant issue before the Academic Senate was whether the language of the course description, even as modified, was so excessive as to convey the message that independent student views would not be respected.

The resolution of this issue is in part connected to the third question that I initially posed, which is whether the teaching of "The Politics and Poetics of Palestinian Resistance" will be consistent with academic standards. One can legitimately ask whether the graduate student instructor who wrote the highly improper first draft of the course description can be trusted to nurture the academic freedom of his students. It might be argued that modification of the course description is especially important because of the real possibility that he will subject his students to improper intimidation.

At the time the Academic Senate approved the course description of "The Politics and Poetics of Palestinian Resistance"
Resistance,” the Berkeley campus had already taken numerous steps to ensure that the class would be taught in a manner that complied with relevant academic norms. Berkeley faculty members had spoken at length with the instructor, and they reported that he had become thoroughly aware of his obligations and responsibilities as an instructor at the University of California. The Berkeley English department undertook explicitly to advise students enrolled in the course that they would have the right to express themselves freely and to have their work evaluated without discrimination or harassment. The department made its chair available to hear complaints about the conduct of the course. And the department took the extraordinary step of requiring that a full tenured member of the faculty observe the class to ensure that it would be taught in a way that was entirely consistent with applicable academic standards.

Since the class is likely to cause controversy in the fall, the presence of this observer will serve to protect both the graduate student instructor and his students. The presence of such an observer is certainly an extraordinary event. It is not clear that an analogous requirement could be imposed upon a class taught by a full member of the faculty. It may well be permissible in this case, however, because the instructor is a graduate student who is in my judgment a kind of apprentice under the tutelage of the faculty.

In light of these several unusual precautions, we can have some confidence that “The Politics and Poetics of Palestinian Resistance” will actually be taught in a manner that is consistent with academic standards. This conclusion is relevant to evaluating the propriety of the course description, because a major objection to that description is its possible intimation that students will be judged on their politics rather than on the merits of their work. Because we can be reasonably confident that students in the class will in fact have their academic freedom respected, the force of this objection is somewhat diminished. Regulating the course description in order to protect students from intimidation thus becomes a less pressing concern.

At the outset of this letter, I identified three questions that may be asked of “The Politics and Poetics of Palestinian Resistance.” We have concluded in answer to these questions that “The Politics and Poetics of Palestinian Resistance” is a properly designed course that will in all likelihood be taught in a manner that is consistent with academic standards. There are, however, possible deficiencies in its course description, which turn on whether its inflammatory language is so overwrought as to be intimidating, or so obtrepose as to be pedagogically unjustified. The Academic Senate has decided that the course description is acceptable, that it is neither intimidating nor without educational justification. This decision is no doubt disputable, because it involves hard and close matters of educational judgment about which reasonable persons can disagree. It is nevertheless a defensible decision, because good reasons can be articulated in support. To use legal terminology, the decision does not constitute an abuse of discretion. As I have discussed, weighty reasons of academic freedom counsel that decisions within the professional expertise of the faculty that do not constitute an abuse of discretion be respected by the administration of the university, even if members of the administration would have reached a different judgment had they been called upon to make an initial determination. The professional autonomy of the faculty inheres in such deference.

Please do not hesitate to let me know if I can be of any further assistance in this matter.

Sincerely,

ROBERT POST

Notes

1. "Freedom in research is fundamental to the advancement of truth," from the "1940 Statement of Principles on Academic Freedom and Tenure," in Policy Documents and Reports, 9th ed. (Washington, D.C.: American Association of University Professors, 2001). See, for example, Swezy v. New Hampshire, 354 U.S. 234, 250 (1957), Opinion of Warren, C. J.: "The essentiality of freedom in the community of American universities is almost self-evident. . . . Teachers and students must always remain free to inquire, to study, and to evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die." Because of its substantial overlap with First Amendment considerations, this second principle of academic freedom is far more familiar than the historically more fundamental norm that postulates the professional autonomy of the faculty.


4. The class was fully subscribed. We have reason to believe that several students were provoked into signing up for the class precisely in virtue of their disagreement with the political views of the graduate student instructor.