

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA
OFFICE OF THE GENERAL COUNSEL



111 Franklin Street, 9th Floor • Oakland, California 94612

Charles F. Robinson
VICE PRESIDENT

Writer's direct line: (510) 987-9775
E-mail: david.bimbaum@ucop.edu

June 16, 2000

Adam Kissel
Director, Individual Rights Defense Program
Foundation for Individual Rights in Education
601 Walnut Street, Suite 510
Philadelphia, PA 19106

Re: UCSB Professor William Robinson

Dear Mr. Kissel:

I am the attorney for the Santa Barbara campus of the University of California. This is in response to your letter of June 10, 2000, to UCSB Chancellor Yang.

I appreciate you taking the time to provide the campus with your analysis of the charges that were filed against UCSB Professor William Robinson.

Since you have apparently seen UCSB's Code of Conduct, you are aware that the campus recognizes the importance of academic freedom, as well as the obligation of the institution to defend those principles. You are also aware that the University's statement on Academic Freedom in the Academic Personnel Manual (APM-010) provides as follows:

"The exercise of academic freedom is essential to the highest quality 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-010)."

Thus, Academic Freedom does not exempt a faculty member from the provisions of the Faculty Code of Conduct.

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APM is provided further.

"Academic freedom requires that teaching and scholarship be assessed by reference to the professional standards that sustain the quality of present and achievement of knowledge. The substance and nature of these standards properly lie within the expertise of the faculty. 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 bear the primary responsibility, in full compliance with applicable standards of professional conduct, for the review and evaluation of the

The charges process at UIC is designed to provide the Academic Senate, through its designated representatives, the opportunity to review and evaluate the charges that were conducted in a manner that meets professional standards, and to ensure that the values of professional care set forth in the Faculty Code of Ethics are maintained.

The charges process, including the requirement for a full hearing prior to the imposition of any discipline, as set forth in the Faculty Code of Ethics, was not followed. The charges in this case considered by representatives of the Academic Senate, in accord with these established procedures, violates Professor Rodriguez's rights.

Thank you again for taking the time to write.

Very truly yours,



David M. Birnbaum
Deputy General Counsel, Educational Affairs
and Campus Services

cc's, via email:

Chancellor Henry Yang
Executive Vice Chancellor Glenn Lucas
Professor Joel Michaelson
Professor Martin Scharles
Stephanie Smagala
Melvin Oliver
Verta Taylor
Yousef Baker