

# THE CHRONICLE of Higher Education

## ACADEMIC FREEDOM

# Do College Librarians Have Academic Freedom? Amid Push, California's 'Will Not Be Silent'

By *Lindsay Ellis* | AUGUST 27, 2018

**E**laine Franco didn't think the title of her presentation at the American Library Association's midwinter meeting six years ago was all that controversial: "Copy cataloging gets some respect from administrators."

But an administrative colleague of Franco's at the University of California at Davis raised concerns about the title, an allusion to Rodney Dangerfield's "I don't get no respect" catchphrase. When she saw the 2012 slide deck, which Franco had emailed her, she wondered if the title inappropriately implied that copy catalogers had been disrespected by administrators previously, Franco recalled.

The disagreement caught the attention of a union negotiator. And now the episode has helped set off a crusade for academic freedom for employees of the 100-library UC System, amid negotiations to replace a contract that is set to expire at the end of September.



Courtesy of Holly Craig Wehrle

Librarians from across the U. of California system gathered at UCLA last month during contract talks. Their union is seeking explicit recognition of their academic freedom in a new contract. Administrators disagree.

Inspired in part by Franco's cautionary tale, the union sought to include a provision in the new contract clarifying that librarians have academic freedom. The union says negotiators for the system rejected the proposal, and librarians and academics nationwide have rallied to support the UC librarians.

The tussle is the latest example of a major research university's struggle to draw the bounds of academic freedom — who has it, and under what circumstances. Lawyers representing the University of Texas at Austin argued this year that this core value of academe amounted to a workplace policy, not a First Amendment right.

And Carol L. Folt, the University of North Carolina at Chapel Hill's chancellor, affirmed her administration's commitment to academic freedom this summer, while disagreeing with a faculty group about the application of the principle.

## **Professors and Free Speech**

**Read our collection** about what happens to professors who ended up in the political cross-hairs, and how their universities responded.

The UC System did not make negotiators available for an interview, citing the continuing contract talks.

Claire Doan, a spokeswoman, said UC policies on academic freedom "do not extend to nonfaculty academic personnel, including librarians," adding that the university's goal in the negotiations is to reach agreement on issues including competitive pay and health-care and retirement benefits for librarians. She said librarians play a "crucial" role at the university.

"The provision of academic freedom (or a derivative thereof) is a complex issue that has been rooted in faculty rights, professional standards, and obligations — and requires extensive examination and discussion," Doan wrote in a statement. "Historically, this is

also the case at research universities where librarians are not faculty. We will continue negotiating with the University Council-American Federation of Teachers, endeavoring to better understand the union's stance on academic freedom and other pertinent issues.

Martin J. Brennan, a copyright librarian on the Los Angeles campus who is part of the University Council-AFT negotiating team, said he was surprised by what he characterized as the system negotiators' plain rejection of the union's request.

UC librarians never have had reason to doubt that they possessed academic freedom, and adding the statement, Brennan said, should have been just a formality.

A university policy on academic freedom includes guidance specifically for faculty members and students. But it says that the guidance "does nothing to diminish the rights and responsibilities enjoyed by other academic appointees," which Brennan said librarians had interpreted to mean that other university employees hold the right.

"We thought it would be a no-brainer," Brennan said. He declined to speculate on whether UC was pushing back on this issue so that librarians would back away from other disputes in the negotiations. "This is not just a bargaining chip of an issue for us. This is a fundamental ethic of our profession."

### **'Make Some Noise'**

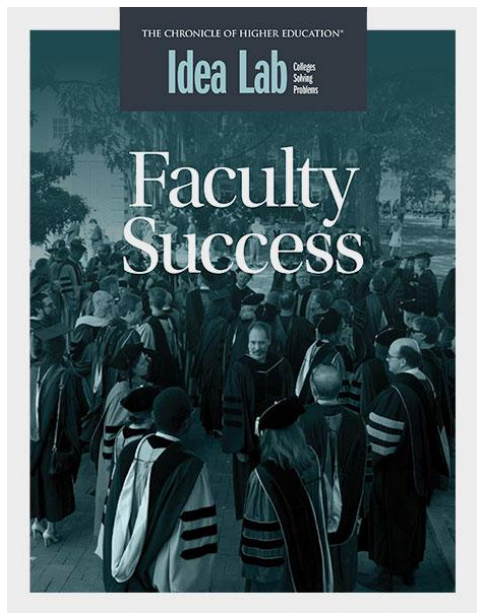
Union representatives proposed in late April a guarantee of academic freedom to all librarians so that they could fulfill responsibilities for teaching, scholarship, and research. The union represents about 350 people, more than 90 percent of whom are members of the union, Brennan said.

UC negotiators said in July that academic freedom was "not a good fit" for the librarians' unit, according to the union. They argued, the union said, that academic freedom is for instructors of record and students when they are in the classroom or conducting related research.

Administrators told the union that they would consider a different intellectual-freedom policy for librarians with a name other than "academic freedom," according to the union.

The librarians' crusade has drawn support in the form of a petition signed by about 650 people, including librarians and faculty members from Skidmore College, in New York, to the University of Oregon to the University of West Georgia. The next negotiating session is on Tuesday, and the union is handing out buttons that say, "Librarians will not be silent" and "Make some noise."

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The chair of the American Association of University Professors' committee on academic freedom and tenure has also backed the UC librarians explicitly. Hank Reichman wrote for the AAUP's Academe blog that the UC negotiators "are wrong" to say their position aligns with the AAUP's.

The AAUP has previously said librarians and faculty members have the same professional concerns, calling academic freedom "indispensable" to librarians because they ensure the availability of information to teachers and students.

"The language proposed by UC-AFT is, therefore, totally consistent with long-accepted principles in the academic and library communities, including with the principles of academic freedom as defined for over a century by the AAUP," he wrote. "The University of California is well advised to accept this sensible proposal."

Academic freedom exists so a university can speak the truth and encourage free expression, Brennan said. He fears recruitment repercussions if potential hires know "they will not be able to speak freely."

The colleague who criticized the title of Franco's presentation, and whom Franco declined to name, ultimately apologized to Franco, she said.

Still, each time Franco presented the data after that initial ALA talk, she used a different introduction. "I didn't use that title again."

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*Correction (8/27/2018, 9:12 p.m.):* This article originally misstated the size of the librarians' bargaining unit. The union represents about 350 people, more than 90 percent of whom are members of the union; the 350 figure refers to all librarians, not more than 90 percent of them. The article has been updated accordingly.

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