



Foundation for Individual Rights in Education

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June 20, 2012

Andrew F. Leuchter
Chair, Academic Senate
University of California, Los Angeles
Box 951408, 3125 Murphy Hall
Los Angeles, California 90095-1408

Sent via U.S. Mail and Electronic Mail (afl@qeeg.npi.ucla.edu)

Dear Professor Leuchter:

The Foundation for Individual Rights in Education (FIRE; thefire.org) unites leaders in the fields of civil rights and civil liberties, scholars, journalists, and public intellectuals across the political and ideological spectrum on behalf of liberty, legal equality, academic freedom, due process, freedom of speech, and freedom of conscience on America's college campuses.

FIRE is concerned about the threat to freedom of expression and academic freedom presented by the case of Dr. James E. Enstrom, who has been dismissed from his research faculty position at the University of California, Los Angeles (UCLA), effective June 30, 2012, after working at UCLA since 1976. Although he has asserted and demonstrated UCLA's violations of his academic freedom and freedom of expression, these claims apparently have never been adjudicated. Please correct us if our understanding is in error.

In particular, according to a federal lawsuit filed on Dr. Enstrom's behalf on June 13, 2012, when a Step II-A review in Enstrom's case was conducted by UCLA School of Medicine Assistant Dean for Academic Affairs Richard H. Gold in October 2010, "Gold ... failed to conduct a full review of the evidence and information Dr. Enstrom asserted, specifically regarding his concerns that his rights under the First Amendment had been violated." (See <http://thefire.org/article/14576.html>.)

The lawsuit also states that in his April 2011 Step III-B hearing regarding his grievance and whistleblower complaint, "Despite Dr. Enstrom raising concerns based on [a]cademic [f]reedom and his constitutional and free speech rights, Hearing Officer Sara Adler explicitly refused to address these claims." In Adler's June 15, 2011, report, she specifically ruled that Enstrom's academic freedom claims were "reserved for resolution by the Academic Senate" and outside of her jurisdiction.

Finally, in a June 4, 2012, letter to Enstrom from David B. Teplow, Chair of the UCLA Academic Senate's Committee on Academic Freedom, Teplow wrote that the committee had

sent a letter to Chancellor Block [in 2012] asking that he respond to an earlier [April 15, 2011] letter that requested more detailed information on the University's position with respect to your situation. To this date, we have not received a response from Chancellor Block.

It appears that UCLA has no working procedure for evaluating the academic freedom and free speech claims of its faculty. If formal grievance processes at UCLA limit the scope of adjudicable complaints so as to exclude issues of academic freedom and free speech, faculty and researchers have no official recourse for adjudication of those claims. Furthermore, when the UCLA administration ignores the Committee on Academic Freedom's requests for information, it appears that there is no recourse at all.

FIRE asks the Academic Senate to act to ensure that Dr. Enstrom's claims are properly adjudicated. FIRE further asks that the Academic Senate work with the UCLA administration to revise the university's policies to ensure that academic freedom and freedom of expression for faculty researchers are protected in the future.

FIRE requests a response by June 30, 2012, the date upon which Enstrom's appointment expires. I hope that by June 30 the Academic Senate will, at least, initiate the actions needed to secure fundamental freedoms at UCLA.

Sincerely,



Adam Kissel
Vice President of Programs

cc:

Linda Sarna, Vice-Chair/Chair Elect, Academic Senate
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