

Aoki Center's Policy on Public and Discretionary Statements

Approved Jan 11, 2025

A. Policy Summary / Background

The mission of the Aoki Center is to honor the memory of Professor Keith Aoki by fostering multi-disciplinary scholarship and practice that critically examines the law through the lens of race, ethnicity, indigeneity, citizenship, and class. By integrating the scholarship of King Hall faculty with the research of academics in other departments and schools across the UC Davis campus and by connecting critical race theory to the world of practice and policy, the Aoki Center seeks to deepen our understanding of issues that have a significant impact on our culture and society.

Consistent with our mission, the Center's faculty leadership will issue statements on current events that impact our community through an interdisciplinary critical race lens. On July 18, 2024, the UC Board of Regents enacted Policy 4408 on "Public and Discretionary Statements by Academic Units," to govern the responsibilities of and procedures for academic campus units when issuing public statements.¹ Policy 4408 requires academic campus units to develop and publish procedures in accordance with its outlined rules. As a research center housed at the University of California, Davis School of Law, the Aoki Center is an academic campus unit required to comply with the University's policies. We hereby outline and establish the following policy on public and discretionary statements issued by the Center.

B. Requirements for Public Statements

We hereby adopt the University of California Board of Regents' definition of public statements:

communications by an Academic Campus Unit or its lead administrator purporting to be made on behalf of the Academic Campus Unit and distributed, disseminated, posted online or otherwise shared via mass distribution with University constituencies or the public. This term includes an Academic Campus Unit's messages sent to University constituencies or the public regarding its curricular offerings, its traditional mission statements, or strategic plans; administrative activities, operations or resources; news announcing University or campus activities, programs or initiatives; or news and events related to faculty research, teaching, and individual or collective scholarly endeavors. This term also encompasses Discretionary Statements.²

¹ "Regents Policy 4408: Policy on Public and Discretionary Statements by Academic Units," University of California Board of Regents, Approved July 18, 2024.

<https://regents.universityofcalifornia.edu/governance/policies/4408.html>

² *Id.*

Aoki Center statements will comply with applicable laws and University policies including refraining from, “promot[ing], endors[ing], or oppos[ing] political campaigns or candidates for elected or appointed government office, or comment in support of, or in opposition to, specific ballot measures.”³

C. Requirements for Discretionary Statements

We hereby adopt the University of California Board of Regents’ definition of discretionary statements:

communications by an Academic Campus Unit purporting to be made on behalf of the Academic Campus Unit and distributed, disseminated, posted online, or otherwise shared via mass distribution with University constituencies or the public, that are not part of the day-to-day, term-to-term operations of the unit, and that comment on institutional, local, regional, global or national events, activities or issues. Discretionary Statements do not include an Academic Campus Unit’s messages sent to University constituencies or the public regarding its curricular offerings, traditional mission statements or strategic plans; administrative activities, operations or resources; news announcing University or campus activities, programs or initiatives; or news and events related to faculty research, teaching, and individual or collective scholarly endeavors.⁴

Aoki Center discretionary statements:

- (1) will be accompanied by a clear disclaimer that the Center is not speaking on behalf of the University, Davis Campus, Davis Law School, and all members of the Center (unless voted unanimously);
- (2) Statements will be signed by and issued on behalf of the Aoki Center’s faculty leadership, unless the leadership unanimously agree that a statement should be issued on behalf of the Aoki Center itself;
- (3) Full statements will not appear on the main homepage of the Aoki Center’s webpage and will instead be posted on a secondary tab for such statements. Links to statements may be placed on our homepage.

D. Conclusion

The Aoki Center will publish public and discretionary statements as an exercise of academic freedom and free speech and consistent with our mission to support and shape research that positively impacts society, and will conform to the Board of Regents’ Policy 4408.

³ *Id.*

⁴ *Id.*