

## **Resolution of the College of Marin Academic Senate Revision of Information Technology Use BP and AP 3720**

**Whereas,** [Article 1, Section 1, of the California State Constitution](#) identifies privacy as an inalienable right of every person; and

**Whereas,** The [College of Marin BP 4030](#) on Academic Freedom affirms that our faculty "...must be free from pressures and demands that restrict intellectual discovery" and that "COM shall promote and protect an educational climate in which teachers and students can assert their ideas without fear of reprisal;" and

**Whereas,** Privacy is fundamental to academic freedom, because faculty cannot engage in unrestricted intellectual discovery if there is concern that their communications and information may be monitored; and

**Whereas,** In an environment of shared governance, faculty leaders need assurance that their communications are not subject to unwarranted access; and

**Whereas,** The [University of California Privacy and Information Security Steering Committee](#) reports that privacy is fundamental to an academic environment, playing an important role in upholding human dignity and in sustaining a strong and vibrant society; and

**Whereas,** As an American Civil Liberties Union [Statement on Internet Privacy](#) points out, new technologies make it easier for employers to learn the details of an employee's online activities and that these intrusions have devastating implications to a right to privacy; and

**Whereas,** A 2014 report on [Academic Freedom and Electronic Communications](#) issued by the American Association of College Professors concludes that faculty members must participate, preferably through representative institutions of shared governance, in the formulation and implementation of policies governing electronic-communications technologies; and

**Whereas,** Decision-making in academic and professional matters, such as Academic Freedom, is the prerogative of our Academic Senate under "10 plus 1," as articulated in [Title 5 of the Administrative Code of California, Sections 53200](#) and [College of Marin BP 3260](#); and

**Whereas,** The current [College of Marin AP 3720](#) states that users of COM's information technology have "no expectation of privacy."

**Therefore, be it resolved,** That the College of Marin Academic Senate supports a revision of Board Policy and Administrative Procedure for Information Technology, using the [UC Statement of Privacy Values and UC Privacy Principles](#) and the [UC Berkeley Electronic Communications Policy](#) as a model; and

**Be it further resolved,** That the District clearly inform all users of campus technology of the updated Board Policy and Administrative Procedure for Information Technology Use.