

## **Resolution of the College of Marin Academic Senate Revision of AP 6520 – Security of District Property**

**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 activities may be monitored; and

**Whereas,** The [UC Privacy and Information Security Steering Committee Report](#) identifies Autonomy Privacy, which refers to an individual’s ability to conduct activities without concern of or actual observation, as a primary component of privacy in an academic environment; and

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

**Whereas,** Electronic monitoring or surveillance of individuals at COM represents a potential threat to Academic Freedom, and as such, is a 10+1 issue and therefore must be thoroughly vetted through the Academic Senate and other applicable governance committees; and

**Whereas,** A recently proposed revision of [AP 6520, Security for District Property](#), includes language that authorizes the District to install Closed Circuit Television (CCTV) surveillance systems throughout the campus; and

**Whereas,** the stated purpose of [AP 6520](#) is “...solely for the protection of District property and assets from theft and vandalism,” and

**Whereas,** the CCTV surveillance systems have been installed in areas which the District has acknowledged are for the primary purpose of monitoring the behavior of students and other members of our learning community; and

**Whereas,** The language in [AP 6520](#) does not define where on campus our faculty and students have a “reasonable expectation of privacy;” and

**Whereas,** The language in [AP 6520](#) states that the surveillance cameras may be used as “evidence” of “undesirable activities,” although such activities are not defined and therefore open to subjective interpretation, which could lead to misuse of the surveillance material; and

**Whereas,** Although [AP 6520](#) states that the implementation of CCTVs shall not replace the need for supervision, it is apparent that cameras are indeed being used to supervise the testing of students; and

**Whereas,** COM faculty expects “autonomy privacy” to include but not be limited to areas in and around all classrooms, labs, libraries, tutoring spaces, faculty offices, counselling spaces, and other locations where there is a reasonable expectation that faculty and students may be engaging in intellectual discovery; and

**Whereas,** Contrary to provisions of COM’s [BP/AP Review/Approval Process](#), the relevant governance committees, such as the Academic Senate and the Technology Planning Committee, were not made sufficiently aware of nor adequately engaged in the review and approval of the proposed changes of [AP 6520](#).

**Therefore, be it resolved,** That the Academic Senate urges the District to immediately cease and desist from the implementation and use of all CCTV surveillance system cameras that are not specifically intended for the protection of District property and assets, as currently authorized by [AP 6520](#); and

**Be it further resolved,** That the Academic Senate expects the District to remand the recent revision of [AP 6520](#) back to the appropriate governance committees for review, revision, and approval; and

**Be it further resolved,** That the Academic Senate recommends the District include all members of shared governance in the development of language for one or more proposed BPs and APs that specifically circumscribes the implementation and use of all current and future surveillance equipment at College of Marin.