



## **Resolution Regarding Academic Free Speech and District Electronic Mail Use Policies**

Whereas, Chancellor Stanback Stroud announced during the January 17, 2020, District FLEX Professional Development day<sup>1</sup> that the district administration will eliminate the Faculty/Administrators/Staff listserv (FAS) “within the next 30 days” and create a constituent-exclusive set of listserv permissions;

Whereas, senate, staff and student constituency groups identified in Board Policy 2510, Participation in Local Decision Making,<sup>2</sup> were not consulted about this major change and it was decided without a consultative process;

Whereas, Administrative Procedure 2511, Role of Academic Senate in District and College Governance,<sup>3</sup> regarding consultation and collaboration on agreed upon academic and professional matters calls for collegial consultation in the 10+1 academic and professional matters areas;

Whereas, Board Policy 4030<sup>4</sup> defines the parameters of Academic Freedom and recognizes that “The colleges of the district are committed to free discussion and open inquiry in the pursuit of truth” citing that the “Freedom to think, to read, to speak and to question is necessary to the development of an informed citizenry. This freedom shall be integral to the philosophy of this district and is guaranteed to all staff and students.”

Whereas, Board Policy 3900<sup>5</sup> and Administrative Procedure 3900<sup>6</sup> on Speech: Time, Place, and Manner, does not identify District Electronic Mail as a non-public forum;

Whereas, Board Policy 3720<sup>7</sup> and Administrative Procedure 3720<sup>8</sup> set out policies and procedures for Telephone, Computer, and Network Use that are elaborated upon in the

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<sup>1</sup> [https://www.youtube.com/watch?v=Oee\\_40WnVbw](https://www.youtube.com/watch?v=Oee_40WnVbw)

<sup>2</sup> <https://web.peralta.edu/trustees/files/2013/12/BP-2510-Participation-in-Local-Decision-Making.pdf>

<sup>3</sup> <https://web.peralta.edu/trustees/files/2013/12/AP-2511-Role-of-Academic-Senates-in-District-and-College-Governance.pdf>

<sup>4</sup> <https://web.peralta.edu/trustees/files/2011/04/BP-4030-Academic-Freedom.pdf>

<sup>5</sup> <https://web.peralta.edu/trustees/files/2019/03/BP-3900-Speech-Time-Place-and-Manner.pdf>

<sup>6</sup> <https://web.peralta.edu/trustees/files/2011/04/AP-3900-Speech-Time-Place-and-Manner2.pdf>

<sup>7</sup> <https://web.peralta.edu/trustees/files/2011/04/BP-3720-Information-Technology-Use.pdf>

<sup>8</sup> <https://web.peralta.edu/trustees/files/2013/12/AP-3720-Telephone-Computer-and-Network-Use.pdf>

**Telephone, Computer, Network, and Electronic Mail Use Guidelines**<sup>9</sup> that do not address the current professed issues or proposed changes by the chancellor;

Be it resolved, that faculty assert their role and right to consult collegially with the Chancellor and District Office regarding academic and professional matters and to collaborate with the Chancellor and District Office to ensure that any changes to the existing Electronic Mail policy is developed via consultation with relevant college and District participatory governance bodies to ensure that such a policy be in accordance with the above policies and procedures; including, especially, Academic Freedom.

And be it resolved, that faculty support maintaining open “Faculty/Administrators/Staff” (FAS) electronic mail lists subject to the creation of a new and agreed upon Electronic Mail policy.

*Unanimously approved (January 21, 2020)*

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<sup>9</sup> <https://web.peralta.edu/it/files/2014/06/PCCD-Telephone-Computer-Network-and-Electronic-Mail-Use-Guidelines-v1-1-Final-Draft.pdf>