

EMBARGOED UNTIL AUGUST 28 at 6 am EASTERN TIME

TO: Distribution List of Campus Newspaper Editors and Reporters

FROM: American Council of Trustees and Alumni

We are sending this email on behalf of alumni, faculty and student groups around the country, many of whom are working directly with our organization. For more information about us, here is our website: <https://www.goacta.org/about/>.

In recent years, there have been various news accounts about electronic case management and reporting systems used by U.S. colleges and universities that track virtually every aspect of student life. Many of these functions have good purposes. The problem is when they start to intrude on personal activities and undercut what should be a robust campus environment. For example, the use of these systems can undermine the free exchange of ideas. The right to think, question, challenge and discuss is the lifeblood of higher education, and it needs to be protected. See, for example, https://www.wsj.com/articles/snitches-get-sheepskins-as-colleges-train-student-informants-dei-east-germany-bias-protected-class-f941ee11?mod=hp_opin_pos_2#cxrecs_s and <https://www.thecollegefix.com/meet-the-software-company-tracking-college-students-behavior/>.

If you look further into the matter, you will see that the system likely used at your school retains detailed notes submitted by dorm staff and other student services staff regarding their interactions with any given student (including even notes that they *think* X might have been smoking marijuana, that Y was seen drinking in her dorm room, etc.), cross-references each student with all other students, provides detailed start to end case management software, provides templates for most of the communications sent by the student services and other staff, and provides specific methodologies for handling disciplinary matters, Title IX matters, and numerous other student activities. Many of the entries can be submitted *anonymously* and where the targeted students are not even advised that someone has filed negative reports about them.

Our purpose in writing to you is to suggest that this might be the time for your campus newspaper to look into what is being done with the computerized records system that is used at your school and to encourage students to exercise their rights to review what is in their files.

Attached for these purposes are two documents: (1) background information about the issues, and (2) a sample form for student use. You should also be aware that there was a national campaign starting in 2015 for college and university students to review their admissions files, and this campaign arose before the creation of these much more massive record-keeping systems:

- <https://www.buzzfeednews.com/article/mollyhensleyclancy/heres-how-to-see-what-college-admissions-officers-wrote-about>
- <https://www.buzzfeednews.com/article/mollyhensleyclancy/elite-colleges-are-now-destroying-admissions-records>
- <https://us9.campaign-archive.com/?u=c9d7a555374df02a66219b578&id=3a69d6c439>
- <https://nyulocal.com/a-step-by-step-guide-to-getting-access-to-your-nyu-admissions-records-d06c57a4b9ac>
- <https://stanforddaily.com/2019/02/24/freshmen-can-view-admissions-comments-inaccessible-to-upperclassmen/>

- <https://studentsforfairadmissions.org/unc-to-grant-students-requests-for-admissions-files-under-ferpa/>
- <https://www.thedp.com/article/2015/04/brown-denying-requests-to-see-admissions-files>

You might also consider in your articles and editorials that your school needs to allow students access to all of the materials in their files and also to allow students to insert their own corrections and other exculpatory and clarifying information. An alternative would be for your school to agree that, within a specific timeline, it will remove from the files all entries that were never disclosed to a designated student and where the designated student did not then have the opportunity to correct what the student believes were incorrect and even false statements, or that, at very least, the school will remove all anonymous reports that have ever been received.

You might also think about whether your school's bias reporting and similar systems, which are regularly a part of these electronic case management systems, should be ended. There are already federal appeals court rulings that find such systems contrary to a campus where the expression of viewpoints is to be encouraged and where students are sufficiently mature to make the case in open discussion against any language or concepts that might be considered offensive. At a minimum, if the bias reporting systems are retained, any students named in those records should have the right to file any clarifying and exculpatory information and should be advised if any future entries are made about them.