

## Commission Accepts Faculty Senate Statement

The Commission on Equal Opportunity and Diversity voted on March 22 to accept the Faculty Senate version of "Position Statement Reaffirming Our Civil Liberties" as follows:

WHEREAS, the Commonwealth of Virginia has a rich history of securing the inalienable rights of individuals, dating to the first settlement of our Commonwealth in 1607, through the Revolutionary War and the adoption of key documents authored by Virginians such as Thomas Jefferson, James Madison, and George Mason; and

WHEREAS, these documents include the Declaration of Independence, the Virginia Declaration of Rights, the Virginia Act for Establishing Religious Freedom, the United States Constitution, and the U.S. Bill of Rights; and

WHEREAS, Virginia Tech deeply appreciates its Police Department's commitment to our country's cherished rights and liberties; and

WHEREAS, Virginia Tech houses a diverse population, including citizens of other nations, whose contributions to the University community are vital to its character and function; and

WHEREAS, the United States Constitution guarantees to all persons living in the United States fundamental rights; and

WHEREAS, Federal, State and Local governments, in their efforts to protect residents from terrorist attacks, should do so in a rational and deliberative fashion to ensure that any new security measures enhance public safety without impairing constitutional rights or infringing on civil liberties; and

WHEREAS, our nation has taken its strength from the freedoms guaranteed to all individuals and should lead the world in setting the example of Democracy's ability to protect itself without undue coercion of its citizens or resorting to government secrecy, violation of due process or invasion of privacy.

NOW, THEREFORE, THE FACULTY SENATE AT VIRGINIA TECH:

1. AFFIRMS its strong support for fundamental constitutional rights; and
2. AFFIRMS its opposition to measures that single out individuals for government stricture based solely on their ethnicity, gender, religious beliefs, political beliefs, and/or country of origin; and
3. RECOGNIZES efforts of Virginia Tech law enforcement to preserve and support the Bill of Rights and the U.S. Constitution and thereby preserve individuals' constitutional freedoms; and
4. CALLS UPON all members of the community to demonstrate similar respect for civil rights and civil liberties; and
5. CALLS UPON the Virginia Tech community to proactively educate all individuals that any university records may be obtained by federal agents under the USA PATRIOT Act without informing the individual unless a request or subpoena permits such notification; and
6. AFFIRMS that Virginia Tech should provide notice to individuals whose education and/or other records have been obtained by law enforcement agents, when a

request or subpoena permits such notice to occur, pursuant to Section 507 of the USA PATRIOT Act and other federal security legislation; and

7. AFFIRMS that Virginia Tech libraries should provide notice to library users as follows: “Library Patrons: Under Section 215 of the USA PATRIOT Act (Public Law 107-56) records of books and other materials borrowed from this library, as well as Internet activity in this library, may be obtained by Federal agents. This federal law prohibits librarians from informing you if records about you have been obtained by Federal agents”; and

8. REQUESTS that the Virginia Tech administration and police department continue to ensure that all persons within the University community are guaranteed their fundamental constitutional rights, including: freedom of religion, speech, assembly, and privacy; protection from unreasonable searches and seizures; due process and equal protection to any person; equality before the law and the presumption of innocence; access to counsel in judicial proceedings; and the right to a fair, speedy, and public trial.