



BP 3775

Board Policy

Chapter 3 – General Institution

BP 3775 (DRAFT) ACCEPTABLE USE OF GENERATIVE ARTIFICIAL INTELLIGENCE (GenAI)

Purpose

Santa Monica College recognizes Generative Artificial Intelligence (GenAI) as a rapidly evolving technology with the potential to enhance teaching, learning, student support, innovation, and institutional effectiveness. The District is committed to supporting the responsible, equitable, accessible, transparent, secure, and informed use of AI consistent with the College's Mission and Values. AI should support and augment human expertise and judgment and should be implemented with consideration for its reasonably foreseeable impacts on students, employees, and the quality of District services.

The Superintendent/President shall establish administrative regulations, consistent with the District's shared governance processes, to ensure the safe, ethical, secure, and lawful use of AI technologies; protect privacy and confidential student and employee information; preserve human oversight; and ensure compliance with applicable federal and state data privacy laws. Shared governance participation shall not substitute for or waive the District's obligations under collective bargaining agreements or applicable labor law.

Administrative regulations shall include provisions for:

- Review and approval of AI tools for institutional use, including standards for data privacy and security, accessibility, equity and nondiscrimination, and alignment with the District's educational mission;
- Appropriate use of AI in ways that protect sensitive and restricted information, including student education records, employee records, and personally identifiable information, and uphold academic and professional integrity;

- Providing guidance, training, and support to promote responsible and effective use of AI by students, faculty, and staff;
- Meaningful human oversight for consequential decisions affecting students or employees;
- Evaluation of reasonably foreseeable workforce impacts, including workload and working conditions; and
- Notice to and satisfaction of applicable collective bargaining obligations with affected exclusive representatives before implementation of AI technologies, practices, or material new functionality affecting matters within the scope of representation.

Sensitive, restricted District information, including student education records, employee records, personally identifiable information (PII), protected health information (PHI), and other information governed by federal and state privacy laws, may be processed by AI only when specifically authorized for that data and use, consistent with District data classification standards and law. Approval of an AI tool does not automatically extend to every category of District data; nor does it independently authorize every available or future use, feature, integration, or AI-enabled functionality of that tool; each use must be separately authorized.

Workforce and Employment Protections

Nothing in this policy or its implementing administrative regulations shall supersede, waive, modify, or diminish rights established under applicable collective bargaining agreements, Personnel Commission rules, the Educational Employment Relations Act, or other applicable labor laws. The District shall provide appropriate notice and an opportunity to bargain with affected exclusive representatives before implementing AI technologies, practices, or material new functionality where the decision and/or reasonably foreseeable effects are within the scope of representation as required by law. Participation in shared governance, advisory committees, pilot programs, technology reviews, or AI governance activities shall not constitute agreement to implementation or waiver of statutory or contractual bargaining rights.

AI shall not be the sole or determinative basis for employee recruitment, screening, hiring, promotion, transfer, classification, evaluation, discipline, demotion, layoff, termination, compensation, scheduling, or other material employment decisions. Consequential employment decisions shall remain subject to meaningful human review and applicable employee due-process rights.

AI technologies shall not be used for undisclosed employee surveillance, behavioral profiling, automated productivity scoring, or monitoring for evaluation or discipline without appropriate authorization, notice, and compliance with applicable collective bargaining obligations. AI technologies shall not be intentionally used to monitor, profile, interfere with, or discourage lawful union representation, organizing, grievance activity, collective bargaining, communications with employee representatives, or other protected employee activity.

Noncompliance

Noncompliance with this policy will be addressed through existing District policies, administrative procedures, and applicable laws. Employee noncompliance shall be addressed consistent with applicable collective bargaining agreements, Personnel Commission rules, due-process requirements, established District policies, and law.

Legal

[California Consumer Privacy Act \(CCPA\)](#)

[California Education Code Sections 76240-76246](#)

[California Confidentiality of Medical Information Act](#)

[California Assembly Bill 1008](#)

[Family Educational Rights and Privacy Act](#)

[Gramm-Leach-Bliley Act](#)

[HIPAA Security and Data Rules](#)

References

- Government Code Section 11546.45.5 subdivision (a)(1)
- BP 3720 Computer and Network Use
- Education Code Section 70902
- Government Code Section 3543.1(b)
- Government Code Section 3543.2 — Scope of Representation
- Government Code Section 3543.3 — Duty to Meet and Negotiate
- Government Code Section 3543.5 — Prohibited Employer Practices
- Penal Code Section 502
- Cal. Const., Art. 1 Section 1
- 17 U.S. Code Sections 101 et seq.
- [California Civil Rights Department, Civil Rights Council rulemaking on automated-decision-system employment regulations](#)
- [California Community Colleges Chancellor's Office, AI Guidance and Policy](#)

Approved: *(Draft – New Board Policy)*