Resolution Number: RS22-431
May, 2022

Whereas:
RATIONALE: Chancellor Castro resigned on February 17, 2022 after prominent criticism emerged regarding his handling of sexual harassment, bullying and retaliation complaints while he was president of CSU Fresno. CSU trustees, furthermore, approved a planned review of how the 23-campus system handles Title IX cases involving sexual (and gender) harassment. The purpose of this resolution is to acknowledge the needs of our campus community for a safe and healthy learning, living and work environment, and to support broad, effective and innovative university efforts to stop gender discrimination including but not limited to sexual harassment, misconduct, exploitation, violence, and retaliation. We also condemn any actions that undermine SF State principles and policy against gender discrimination.

Whereas:
SF State prohibits discrimination on the basis of gender, including sex and gender identity or expression and sexual orientation; and

Whereas:
gender discrimination impedes equal educational access, campus safety and security, as well a general sense of safety and well-being in their communities; and

Whereas:
subjection to bullying, caste discrimination, harassment and violence, whether or not it is based on gender and sex, often intersects with membership in other marginalized groups, affecting students and employees from BIPOC communities and victims of other kinds of discrimination including but not limited to members of Asian, Black, Indigenous, Latinx, religious, and age-based groups, and people with disabilities; and

Whereas:
subjection to bullying, harassment and violence, whether or not it is based on gender and sex, often leads to gender discrimination; and

Whereas:
victims of gender discrimination are often silenced, oppressed and retaliated against; and

Whereas:
there are still significant gaps in the effective collection and systematic analysis of statistics about gender discrimination, which inhibits a clearer understanding of gender discrimination and our abilities to take effective action; and therefore be it

Resolved:
the Academic Senate urges the entire University to actively fight against discrimination, caste discrimination, harassment, sexual misconduct, sexual exploitation, dating violence, domestic violence, stalking and retaliation and urges all stakeholders and witnesses to report and to document ALL incidents including steps taken during follow-up and investigation with justification (as well as all parties involved); and be it further

Resolved:
that SF State creates opportunities for students, staff, faculty and administrators to engage in ongoing deliberation and conversations addressing gender violence, as well as gendered, racial, social, political and economic injustices and inequities, especially related to women, LGBTQIA, and BIPOC communities; and be it further

Resolved:
that SF State is a safe place to report violations and that faculty, police, intelligence and administrative resources should never be used to re-traumatize, punish or exploit those who come forward to make complaints, whether their complaints can be proven or not; and be it further

Resolved:
that any member of the University community who witnesses or becomes aware of discrimination, harassment,
sexual misconduct, sexual exploitation, dating violence, domestic violence, and stalking – including a hostile work environment that objectifies, hypersexualizes or marginalizes one or more members of the campus community on the basis of sex or gender – is responsible for reporting misconduct to the University; and be it further

Resolved:
that any member of the campus community who witnesses or becomes aware of retaliation by a member of the campus community against another due to protected disclosures, supporting victims, participation in an investigation, or opposition to misconduct is responsible for reporting the retaliatory conduct to the University; and be it further

Resolved:
that the Academic Senate and the University encourage reporting through training and the dissemination of appropriate information, so as to create a community response at all levels with advocacy and collaborative efforts to protect and to support our students, faculty and staff from discrimination, harassment, sexual misconduct, sexual exploitation, dating violence, domestic violence, stalking and retaliation.; and be it further

Resolved:
that the Academic Senate and the University recognize that just because minority females strikingly may appear less likely to report gender discrimination (including stalking and sexual assault) does not signify that they are less likely to be victims. For example, the CDC’s National Intimate Partner and Sexual Violence Survey (NISVS) 2010-2012. Average Annual Estimates establish that the lowest rates of stalking victim reports are among Asian Americans. However, research on women student of color plaintiffs has found that Asian American women and Latinas are more likely to be victims of harassment in the university context (Cantalupo 2019); and be it further

Resolved:
that since campus resources are finite, we should be highly selective in shaping our campus community. SF State will support the hiring and promotion of candidates at all levels who have demonstrated staunch support for the implementation and rigorous enforcement of the values, positions and policies stated herein, all else equal; and be it further

Resolved:
the Academic Senate urges the entire University to condemn protecting those who are found guilty of such violations from scrutiny, censure, and disciplinary action and to denounce rewarding them; and be it further

Resolved:
that all offer letters for new hires who are eligible for retreat rights will include language indicating that individuals who have been found guilty of significant misconduct will lose their eligibility to return to a faculty position; and be it further

Resolved:
that the Academic Senate supports the University in the disaggregation and analysis of data regarding all complaints, including but not limited to whether an administrative investigation was conducted, whether a police investigation was conducted, and a determination regarding each complaint as founded, unfounded, or could not be determined, as well as time-to-resolution, and school-related status of complainants and respondents such as student, tenure-track faculty, lecturer faculty, administrator or other employee. These data encourage auditing and rigorous implementation of our policies, ensuring that equitable services and enforcement are provided to all including people without power who are often ignored and marginalized; and be it further

Resolved:
that the Academic Senate supports the University in data collection regarding trajectories for the lives and careers of complainants after making their reports of violations and for the lives and careers of respondents or those accused. Beyond what is already collected by the University, sharing information about their lives and careers should be voluntary; and be it further

Resolved:
that the Academic Senate supports inclusion of anti-gender-discrimination policies and values in the written by-laws for each department/unit; and be it further

Resolved:
that SF State commits to working with our diverse campus organizations, departments, student services, administration, and community members to organize innovative, thoughtful anti-sexual-harassment and anti-sex-and-gender-based violence training and education efforts for students, staff, faculty and administrators; and be it further

Resolved:
that SF State supports creating and implementing innovative training for the University Police Department, civil rights units including but not limited to Title IX and Title VII staff and other compliance officers, and University administrators, in order to reinforce that no one is above the rule of law; and that loyalty to the campus demands adhering to our values, policies and the law above any friendship and in spite of power differences; and be it further

Resolved:
that sources of oppression are intertwined and that the University provide immediate additional funding to hire more mental health professionals in Counseling and Psychological Services who specialize in trauma related to: gender discrimination but also sexism, objectification, hypersexualization, misogyny, homophobia, transphobia, and their intersections with racism, ableism, casteism, xenophobia, other types of discrimination, intolerance and violence; and be it further

Resolved:
that the University provide additional funding to the Title IX Office for training and specialization related to trauma-informed investigation procedures and treatment of survivors; and be it further

Resolved:
that SF State survey all SF State websites for information regarding discrimination, harassment, sexual misconduct, sexual exploitation, dating violence, domestic violence, stalking and retaliation, such that information regarding definitions, reporting, protection from retaliation, regulations and this resolution is made available, clearly linked and easily accessible; and be it further

Resolved:
that this resolution be distributed to President Mahoney and the President's Cabinet, Provost Summit, AVP for Division of Equity and Community Inclusion, AVP of Faculty Affairs and Professional Development, Dean of the College of Ethnic Studies, Dean of the College of Extended Learning, Dean of the College of Liberal and Creative Arts, Dean of the College of Science and Engineering, Dean of the College of Health and Social Sciences, Dean of the Graduate College of Education, Dean of Graduate Students, Dean of Graduate Studies, Dean of the Lam Family College of Business, Dean of Undergraduate Education and Academic Planning, the Board of Directors of the Associated Students, the Academic Senate CSU and the California Faculty Association. http://titleix.sfsu.edu/