

The CSU Commitment to Inclusive Excellence

Chancellor Timothy P. White

California State University



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The California State University (CSU) is committed to fostering a vibrant community of students, faculty, staff and administrators, all focused on the many dimensions of student success and academic excellence. On several occasions as Chancellor, I have spoken or written about the CSU's and my personal commitment to inclusive excellence, underscoring its traditional values, especially the tenets of engaging and welcoming a rich diversity of people, voices and ideas. I also have expressed a more contemporary understanding, namely intellectual empowerment through equitable access to and engagement in excellent education, matched with opportunity for free expression. Indeed, it is the melding of these fundamental understandings of inclusive excellence – equitable participation and free expression – that enables the CSU to meet the needs and growing demands of a diverse global society.

Our commitment to the bedrock values of inclusive excellence will remain steadfast and is at the core of our day-to-day activities and in the lives of university community members who strive to create just and rigorous learning and discovery environments for all persons.

It is important for the CSU to always stand visibly for the values of inclusive excellence by promoting and sustaining equitable, physically safe, nurturing and challenging academic environments for all students, faculty, staff and guests. I remain firmly and unalterably committed to advancing these values at the CSU, as do the campus presidents, system-level executive leadership, our leadership teams and members of the university community.

The CSU Commitment to Values of Inclusive Excellence

Commitment to Inclusion and Engagement

The California State University values diversity and fosters understanding and mutual respect. We are committed to all members of the university community being afforded equitable opportunities to learn, discover and serve, as well as having equitable opportunities for personal development and engagement with others on campus and in the global community. In addition to the importance of this kind of authentic access, we know that academic excellence at the CSU depends on the higher and richer learning that occurs for all students when a university is diverse in its people, programs and shared ideas.

The CSU encourages members of our community to express and share their viewpoints, experiences and world views so that we may learn from each other. The CSU community aspires to respect differences and find commonalities while recognizing that many individuals may be encountering challenging and unfamiliar opinions and viewpoints for the first time. Initially, some individuals may not be prepared to respond to differing beliefs and perspectives. As a university we can and must assist members of our community to be prepared for civil

discourse and effective analysis and research, so they may develop an understanding of even those viewpoints or opinions they might find unacceptable. Indeed, the learning that occurs from challenging encounters can promote growth and development within our university community, even when individuals experience something that they find repugnant or inconsistent with their values and upbringing.

The CSU is dedicated to recognizing and understanding the vast variety of personal experiences, histories, societal or institutional barriers, world views and perspectives that come to bear on important political, intellectual, environmental, economic and social matters, and to respecting differences when and where they exist.

Commitment to an Environment Free from Discrimination, Harassment and Retaliation

A CSU core value is that all individuals within our community have the right to participate – free from unlawful discrimination, harassment and retaliation – in all university programs and activities. We commit to providing an accessible and intellectually challenging environment where all people are physically safe even if their ideas are challenged, sometimes strongly.

University leaders must also be attentive and responsive when anyone on campus feels excluded or unsafe, especially if a particular voice or group of voices is being silenced through intimidation or interference, because such limitations can lead to unequal learning environments and undermine our commitment to inclusive excellence.

Unlawful incidents of discriminatory, disruptive or criminal behavior have no place at the CSU, whether driven by anti-Semitism, bigotry, homophobia, Islamophobia, misogyny, religious animosity, sexual harassment or any other form of discrimination, implicit bias, prejudice or hate. Campuses must be attentive to such behaviors, and any such incidents must be reported immediately to university leaders, including campus police if necessary, and must be appropriately and fairly investigated. Individuals who are found responsible must be held accountable through student, faculty or staff discipline processes, and the criminal justice system when appropriate.

The CSU is committed to providing appropriate support for those community members who have been directly affected by incidents of discrimination, harassment, retaliation and criminal behavior.

Commitment to Free Speech

As a public university and consistent with our mission and requirements of both federal and state constitutions and laws, the CSU is committed to free thought and speech, including the right for all constituencies on our campuses to protest lawfully. This commitment is sacrosanct even when – or perhaps especially when – many of us strongly disagree with or find repulsive, abhorrent or hateful the viewpoints offered, as long as the activity is lawful and comports with our campus time, place and manner policies, which do not discriminate with regard to content

or viewpoint. The expression of differing viewpoints and perspectives, as well as earnest and civil debates, are fundamental to the CSU mission and values and to democracy itself, and such expressions indeed are encouraged.

While we profoundly support the tenets of academic freedom and free speech – and concur that all members of the university are entitled to have their voices heard and considered on their own merits – it can be difficult when such speech conflicts with our values of inclusive excellence. The CSU, its faculty, staff, students and the community at large, are best served when all members, including the administration, contest and challenge speech and behaviors that, although protected and lawful, reflect bias, hate, bigotry, intolerance or contain misleading and untruthful assertions. Indeed, without challenge, we enable the normalization of intolerant or untruthful speech and the opinions therein as acceptable viewpoints. In response to protected but hateful or misleading speech, our reactions must be measured and may not interfere with the rights of others to gather, speak and engage in dialogue.

Commitment to Continual Improvement

New and continuing students, staff, faculty and administrators should seize every opportunity to be sufficiently educated through orientations, training programs and professional development opportunities and to be prepared to recognize all types of prejudice. Because no individual, institution or system of universities is perfect when articulating or applying the values of inclusive excellence, the system and campuses will revise the policies and practices as circumstances and needs evolve.

Policy Directives Uphold CSU’s Commitment to Inclusive Excellence

The CSU commitment to inclusive excellence is reflected in several policy directives at the system and campus levels. The following section summarizes the fundamental requirements that apply to the Chancellor’s Office and to all campuses and their satellite facilities, with the understanding that campuses build from system-level policy foundation and statute in developing local campus-based policies and practices.

The commitment to inclusion and engagement is codified in part by CSU Executive Orders 1096 and 1097, and by Title 5 of the California Code of Regulations. Related policy language includes:

Executive Orders 1096 and 1097: The CSU is committed to maintaining an inclusive community that values diversity and fosters tolerance and mutual respect. We embrace and encourage our community differences in Age, Disability (physical and mental), Gender (or sex), Gender Identity (including transgender), Gender Expression, Genetic Information, Marital Status, Medical Condition, Nationality, Race or Ethnicity (including color or ancestry), Religion (or Religious Creed), Sexual Orientation, and Veteran or Military Status, and other characteristics that make our community unique.

Title 5 §41301: The University is committed to maintaining a safe and healthy living and learning environment for students, faculty, and staff. Each member of the campus community should choose behaviors that contribute toward this end. Students are expected to be good citizens and to engage in responsible behaviors that reflect well upon their university, to be civil to one another and to others in the campus community, and contribute positively to student and university life.

The commitment to an environment free from discrimination, harassment and retaliation is codified in part by Title 5 of the California Code of Regulations. Related policy language includes:

Title 5 §41301: Student behavior that is not consistent with the Student Conduct Code is addressed through an educational process that is designed to promote safety and good citizenship and, when necessary, impose appropriate consequences. The following are the grounds upon which student discipline can be based... (3) Willful, material and substantial disruption or obstruction of a University-related activity, or any on-campus activity. (4) Participating in an activity that substantially and materially disrupts the normal operations of the University, or infringes on the rights of members of the University community. (5) Willful, material and substantial obstruction of the free flow of pedestrian or other traffic, on or leading to campus property or an off-campus University related activity. (6) Disorderly, lewd, indecent, or obscene behavior at a University related activity, or directed toward a member of the University community. (7) Conduct that threatens or endangers the health or safety of any person within or related to the University community, including physical abuse, threats, intimidation, harassment, or sexual misconduct.

The commitment to free speech is codified in part by Section 66301 of the California Education Code. Related statutory language includes:

California Education Code §66301: (a) Neither the Regents of the University of California, the Trustees of the California State University, the governing board of a community college district, nor an administrator of any campus of those institutions, shall make or enforce a rule subjecting a student to disciplinary sanction solely on the basis of conduct that is speech or other communication that, when engaged in outside a campus of those institutions, is protected from governmental restriction by the First Amendment to the United States Constitution or Section 2 of Article I of the California Constitution... (c) This section does not authorize a prior restraint of student speech or the student press. (d) This section does not prohibit the imposition of discipline for harassment, threats, or intimidation, unless constitutionally protected. (e) This section does not prohibit an institution from adopting rules and regulations that are designed to prevent hate violence... if the rules and regulations conform to standards established by the First Amendment to the United States Constitution and Section 2 of Article I of the California Constitution for citizens generally. (f) An employee shall not be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a student engaged in conduct authorized under this section, or refusing to infringe upon conduct that is protected by this section, the First Amendment to the United States Constitution, or Section 2 of Article I of the California Constitution.

References *(This is a partial list of related policies. Numerous guidelines at the campus, system, state and federal level operationalize the values outlined in this summary.)*

California Education Code §66301, Leonard Law to protect First Amendment rights of students
<http://law.onecle.com/california/education/66301.html>

Executive Order 1096. Systemwide Policy Prohibiting Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking against Employees and Third Parties and Systemwide Procedure for Addressing Such Complaints by Employees and Third Parties. https://csyou.calstate.edu/Employee-Resources/Emp-Policies-Programs/Documents/EO_1096_Rev_10-5-16.pdf

Executive Order 1097. Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking against Students and Systemwide Procedure for Addressing Such Complaints by Students. https://csyou.calstate.edu/Employee-Resources/Emp-Policies-Programs/Documents/EO_1097_Rev_10-5-16.pdf

Title 5 §41301 Standards for Student Conduct.
[https://govt.westlaw.com/calregs/Document/I327905D0D48311DEBC02831C6D6C108E?viewType=FullText&originContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Document/I327905D0D48311DEBC02831C6D6C108E?viewType=FullText&originContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default))