**AUTHOR**

Senator Gasponi, Claudia

**SPONSORS**

Senator Freund, Keely

Senator Nieves, Preston

Senator Anderson, Alley

Senator Waugh, Shania

Senator Castillo, Alison

Senator Martinez, Jiselle

Senator Cienfuegos, Cristian

Senator Thompson, Tucker

**S.S.R. 2017-2018**

**Date of First Reading:**

**A Simple Resolution-**

**To be known as “The No Place for Hate Call-to-Action” to call upon the administration to further condemn anti-diversity rhetoric and actions on campus and to affirm support for our diverse student population from our university administration.**

**WHEREAS:** Several anti-diversity campaigns, also known as hate-bias, have been sighted on our campus in the past year, including a white supremacist banner on Albert B. Alkek Library. Propaganda on campus promoting racial prejudice, violence, and other discriminatory policies have become alarmingly common, and warrant attention from university leadership; and

**WHEREAS:** President Denise Trauth has commented upon many of these acts of intolerance, condemning the message they promote and proclaiming that “at Texas State [University], we celebrate our diversity and inclusion,” further stating that “there is no place for hate at our university” (Trauth 2017); and

**WHEREAS:** President Denise Trauth, in a public letter opening Campus Watch 2017, stated that “our top priority at Texas State University is to provide a safe educational environment for students, faculty, staff, and visitors;” and

**WHEREAS:** Of the several hate-bias incidents at Texas State University occurring between November 2016 and November 2017, none have resulted in legal prosecution; and

**WHEREAS:** The number of hate-bias incidents is difficult to determine as the University Police Department only reports hate crimes, which do not consider some criminal acts as significant enough to be a prosecutable crime, even when the criminal act is fueled by hate and intolerance; and

**WHEREAS:** Of the several hate-bias incidents at Texas State University occurring between November 2016 and November 2017, none have been marked as hate crimes; and

**WHEREAS:** Hate crimes are defined as “criminal offenses committed against a people or property that is motivated, in whole or in part, by the offender’s bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, age, gender, gender identity, religion, disability, sexual orientation, ethnicity/national origin or on the basis of veterans’ status” (University Police Department Campus Watch 2017); and

**WHEREAS:** Intimidation is a criminal charge defined as “to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack” (University Police Department Campus Watch 2017); and

**WHEREAS:** Several of the hate-bias incidents have been perpetrated by Patriot Front, promoting white supremacy and white nationalist narratives; and

**WHEREAS:** Promotion of white supremacy at a Hispanic Serving Intuition should not be tolerated, and the Texas State University Community has a right and an obligation to oppose this ideology, which is antithetical to everything it stands for; and

**WHEREAS:** No other actions have been made by the Texas State University administration beyond the University Police Department’s currently fruitless investigations; and

**WHEREAS:** Texas State University condemns discrimination on the basis race, gender, class, ethnicity, national origin, religion, or disability status (Texas State Nondiscriminatory Policy); and

**WHEREAS:** Our university aims to welcome all students and the diversity they bring to our campus; and

**WHEREAS:** Texas State University’s Diversity and Inclusion goals are currently to “strengthen our culture of respect and inclusion,” “strengthen our efforts to better identify and overcome barriers to inclusion,” and “strengthen our efforts to maintain a safe university environment free from discrimination and sexual misconduct” (Texas State University Diversity and Inclusion Strategic Plan: Administrative Support Plan 2017-2023); and

**WHEREAS:** Universities across the United States of America are experiencing similar incidents in which known and unknown groups are asserting white supremacy and other hate-speech on their campuses; and

**WHEREAS:** While Texas State University supports the 1st amendment, understanding that it protects all views and all speech even that which people find extremely offensive, it also understands the distinction between tolerating speech and actively supporting it. Texas State University refuses to provide a platform for white supremacy and other racial superiority narratives, and reserves the right to limit activities that are outside the realm of 1st amendment legal protections, such as speech inciting violence and activities that constitute hate crimes or acts of intimidation per their aforementioned legal definitions and;

**WHEREAS:** The University of Maryland, experiencing similar incidents, announced a plan to both combat hate and create a safer campus for their students and campus visitors; and

**WHEREAS:** Included in the actions being taken by the University of Maryland to create a safe campus and combat hate are (1) to create a task-force on hate-bias and campus safety, (2) to create a trained, rapid-response team for hate-bias incidents, (3) to increase funding for campus-wide diversity and inclusion efforts, (4) to affirm and demonstrate core values of unity and respect as a university community, (5) to compile and publish an annual report on hate-bias incidents on their campus, (6) to strengthen existing intercollegiate athletics policy to explicitly prohibit any hate-bias symbols or actions in any of their athletic venues, and (7) to review their Student Code of Conduct to strengthen sanctions for hate and bias (University of Maryland Statement on Hate-Bias on Campus 2017); and, therefore

**BE IT RESOLVED:** In an attempt to demonstrate our university’s core values of supporting our diverse student population and to progressively move forward with the goals outlines in the 2017-2023 Texas State University Diversity and Inclusion Strategic Plan, the legislative body that is Texas State University’s Student Government Senate calls upon the administration of Texas State University to fully consider and enact ~~all of~~ these policies set forth by the University of Maryland into our own campus’s action items concerning hate-bias on campus to further combat hate and racial intolerance at Texas State University; and

**BE IT FURTHER RESOLVED:** That in an attempt to demonstrate our university’s core values of supporting our diverse student population and to better strengthen our culture of respect and inclusion, the legislative body that is Texas State University’s Student Government Senate additionally calls upon the administration of Texas State University to ~~create a high quality cultural and racial sensitivity training program with compulsory attendance for all staff and faculty, all incoming students, and all members of the Greek organizations that are affiliated with Texas State University~~ review whether current racial sensitivity and diversity training programs for incoming faculty, staff, and members of Greek organizations are adequate, and make any reforms deemed necessary to tackle whatever inadequacies are determined to exist, and

**BE IT FURTHER RESOLVED:** That to accurately reflect hate-bias on campus, the University will establish and support a reporting system separate from UPD for hate-bias incidents on campus, and that these reports will be included in UPD’s Campus Watch, the Texas State University “Portraits” described in the 2017-2023 Diversity and Inclusion Strategic Plan, and all reports that document or depict diversity and inclusion, crime, and hate crime on campus; and

**BE IT FURTHER RESOLVED:** That the Student Government Senate recommends to the administration at Texas State University that the University Police Department’s definition of hate crime be expanded and strengthened to include hate-bias acts and that the investigation of and punishment for any hate crime or hate-bias act is increased to reflect Texas State University’s consistent condemnation of hatred and intolerance; and

**BE IT FURTHER RESOLVED:** That due to the need to balance combating hateful rhetoric with protecting free speech, Texas State should limit the nature and scope of the implementation of these policies to methods that are targeted specifically toward activities that limit the constitutional rights of others based on race, incite violence, attempt to use the university as a platform for intolerant rhetoric, constitute violations of the United States, Texas, or San Marcos law, create threat of imminent danger or unrest, and other behaviors resulting in tangible harm to a population due to the promotion of discriminatory rhetoric. In instances where the effects and implications of activity(s) are ambiguous or uncertain, intent may also be taken into consideration when determining whether or not something is considered hate-bias; and

**BE IT FURTHER RESOLVED:** That upon passage of this simple resolution, this legislation be forwarded to student body president Connor Clegg for further action.