




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MEMORANDUM

October 17, 2024

TO: Lynn Mahoney, President

FROM: Jackson Wilson, Chair
San Francisco State University Academic Senate 

RE: **Academic Senate RF24-471 San Francisco State University Resolution to suspend implementation of Interim CSU Time, Place and Manner Policy**

SOURCE COMMITTEE: Executive Committee

SENATE ACTION:

At its meeting on Tuesday, October 15, 2024 the San Francisco State University Academic Senate passed **RF24-471 San Francisco State University Resolution to suspend implementation of Interim CSU Time, Place and Manner Policy.**

Thank You.

ecc: Amy Sueyoshi, Provost & Vice President for Academic Affairs
Mildred Garcia, CSU Chancellor
Dilcie Perez, Deputy Vice Chancellor
Nathan Evans, Deputy Vice Chancellor
Elizabeth Boyd, ASCSU Chair
Brad Erickson, President of CFA
Christine Hintermann, President of CSUEU
Board of Student Associate
Dylan Mooney, Chair of Staff Council
Gabriela Calvillo Alvarez, Editor in Chief, Golden Gate Xpress
Deans, Associate Deans and Department Chairs/Directors



**SAN FRANCISCO
STATE UNIVERSITY**

**San Francisco State University Resolution to
suspend implementation of Interim CSU
Time, Place and Manner Policy**

RF24-471

Date: October 15, 2024

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- WHEREAS academic freedom and freedom of speech, including the right to peaceful protest, are essential to democracy and the free exchange of ideas constituting the pursuit of teaching, learning, scientific inquiry and artistic expression; and
- WHEREAS new restrictions on academic freedom or freedom of speech on CSU campuses must be negotiated through shared governance before they may be implemented in keeping with the recognition of all parties of the importance of Section 3561(b) of HEERA, which states:
“The Legislature recognizes that joint decision-making and consultation between administration and faculty or academic employees is the long-accepted manner of governing institutions of higher learning and is essential to the performance of the educational missions of such institutions;”
and
- WHEREAS the Academic Senate of San Francisco State University commends university students, staff, faculty, administration and other members of the campus community for their exemplary conduct and collaboration during the social justice activism of the 2023-2024 school year; and
- WHEREAS in August 2024 the CSU Chancellor’s Office acted on the direction mandated by the California State Legislature and issued an [Interim TPM policy](#) that supersedes campus policies without the requisite process of shared governance that could legitimate such policies; and
- WHEREAS the interim TPM policy is not effective for union represented employees until after the meet and confer process is completed; therefore, it is critical that both represented faculty and staff share their concerns about this policy during this interim period; and
- WHEREAS the interim TPM policy prohibits people wearing a mask “with the intent” of intimidation, harassment, or evading punishment for violating a law, but it is unclear who defines intent and what limitations there are to define negative intent and if those defining intent could do so for reasons of [racial profiling](#) or other forms of bias rather than health, religious, anti-doxxing, or other pro-social intents which may be valid; and

WHEREAS the interim TPM policy inappropriately connects masking to criminal activity, which can be prosecuted whether or not one wears a mask, but dangerously stigmatizes non-criminal behavior, facilitating a backdoor to criminalization; and

WHEREAS the interim TPM policy prohibits camping or other overnight forms of demonstration that have recently been used as forms of peaceful protest that, carried out responsibly, contribute to the teaching, learning and community building mission of the university; and Whereas the recent application of TPM policies at other CSU campuses appear to have contributed to the escalation of conflict, the creation of unsafe conditions and violations of the rights of students, faculty, and other members of campus communities resulting in a lawsuit (Channel Islands), arrests (Humboldt), a legal challenge (Long Beach), disciplinary action against faculty and administrators (Sonoma, San Jose, Long Beach), and grave concerns concerning surveillance, racial profiling, and politically biased censorship; and

WHEREAS this resolution is one of many concerned with the interim TPM policy issued by CSU campuses (e.g., Sonoma, Stanislaus, Fresno, San Diego) and the Academic Senate of the CSU (ASCSU); be it therefore

RESOLVED that the CSU should suspend implementation of the interim TPM policy and initiate a process of good faith negotiation through shared governance to determine what guidance for peaceful activism on CSU campuses may be justified and consensually applied; and be it further

RESOLVED that all members of campus; faculty, staff, managers, and students; should be invited to engage in a thoughtful process to collaboratively develop a campus-specific addendum that supports activism while also maintaining the safety and academic mission of each campus; and be it further

RESOLVED that this resolution be distributed to San Francisco State University Academic Senators, San Francisco State University Associated Students, San Francisco State University Staff Council, President Mahoney, Academic Senate of the California State University, California Faculty Association, CSU Employees Union, Cal State Student Association, Chancellor Garcia, Deputy Vice Chancellor Perez, Deputy Vice Chancellor Evans, and members of the press.