



Dear campus community,

Today we write to you on a timely and important matter. Many of you read the Voice of San Diego article that published earlier this week. The article detailed a recent Title IX investigation that looked into the actions of a member of our faculty, as well as the related disciplinary actions. This was traumatic and upsetting for so many and you do not stand alone in your dismay.

To give some background on this case, CSUSM moved in good faith to terminate the faculty member based on findings of unprofessional conduct and sexual harassment. The process of termination requires due process, and the faculty member exercised his right to appeal the decision to arbitration per the collective bargaining agreement.

Every day there are individuals on our campus who must thoughtfully and deliberately make decisions on behalf of our university and in the interest of all members of our community. For this case, based on recent arbitration opinions, there was deep concern that the arbitrator would overturn the termination at appeal. In this likely scenario, the faculty member would not have received any disciplinary action, nor would there have been official record of his misconduct. Therefore, it was decided that the best path forward was the final three-month suspension without pay, along with the condition that the faculty member not contact the involved students again.

Further, we want to be clear that neither time nor money is ever a factor in decisions related to sexual assault and/or harassment. The Voice of San Diego article implied that standard language in all CSU settlement agreements meant that our university put resources ahead of student safety – this is simply untrue.

Many of you have expressed that you disagree with this decision. This was a difficult and heartbreaking dilemma for everyone involved in choosing between two untenable options. Ultimately, it was decided that it was more important to ensure that there was an outcome that resulted in discipline and documentation rather than the possibility of no outcome at all. In addition, we have clearly articulated to the faculty member our expectations for his conduct when interacting with any member of our community; and we are pursuing options for alternate assignments other than teaching. He will also be required to take additional sexual harassment training, above and beyond what is already required of all CSUSM faculty, staff and students.

We share the fury, sadness and sense of hopelessness expressed by so many. Frustration does not begin to describe the situation, but we are heartened by the passionate and overwhelming response by our community to support our students and condemn the actions of this individual. At the same time, we know that this event and the related conversations have been traumatizing and upsetting to many.

Some have shared concerns that this event may have a chilling effect on future reporting of sexual harassment. Already, sexual offenses are amongst the most underreported offenses nationally. It is important that we not let this incident derail our efforts to support survivors and encourage reporting with caring and sensitivity. You have our word that we will never stop in our efforts to create and maintain a safe and healthy environment in which all of us – our faculty, our staff, our community partners but most especially our students – can be successful.

We want you to know that this conversation does not end here today. In moments like these, it's important that we reflect on our processes with a commitment to continual improvement and creating the best and safest environment for our campus community.

Yesterday, a space for conversation was provided for faculty. Next week, we will host a space for conversation for staff as well as a space for students. This is just the beginning. We will continue to offer opportunities for dialogue this summer and into the fall about campus climate, including Title IX and sexual harassment.

There are resources available to you, including the [Office for Civil Rights](#), a federal office of the Department of Education.

- Students can contact [Student Health and Counseling Services](#) for a range of services. The [Cougar Care Network](#) can also provide information about on- and off- campus resources. And the [Student Life Centers for Inclusion, Identity and Empowerment](#) (Black Student Center, Cross-Cultural Center, Gender Equity Center, Latinx Center, LGBTQA Pride Center) are staffed by professional and student staff members who offer their support and solidarity.
- For employees, the Employee Assistance Program is available at 1-800-367-7474. Additionally, [FACES](#) has resources in support of faculty, and the [Staff Center](#) has resources in support of staff.
- The [Office of Inclusive Excellence](#) and the [Office of Ombuds](#), and [Title IX and Discrimination, Harassment, Retaliation Office](#) provide a variety of resources that address matters of diversity, inclusion, equity, and discrimination.

In closing, we will never stop in our quest to combat sexual harassment on our campus and we are committed to partnering with you in these efforts.

Sincerely,

Ellen Neufeldt
President

Carl Kemnitz
Provost and Vice President for Academic Affairs

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