

The 39th Session of the Student Body Senate

Florida International University

Miami, Florida

S.R. 03 014

Can't Ban Us

IN THE SENATE

February 20, 2023

SIPA Senator Kaily LaChapelle, Housing Senator Mia Rodriguez, Hospitality Senator Grace King, CASE Senator Paulina Marin, the Pride Student Union, Generation Action, Out in STEM (oSTEM), Young Democratic Socialists of America (YDSA), United Faculty of Florida, and Graduate Wages and Rights introduced the following resolution, which was presented on the Senate floor

A RESOLUTION

To denounce the Florida House Bill 7 (Stop W.O.K.E Act) and the Governor's Proposed Higher Education Policy calling to ban DEI and CRT (now referred to as House Bill 999 and SB 266); to clearly show that students at Florida International University support protecting Diversity, Equity, and Inclusion; and to call upon the FIU's Board of Trustees to stand with this resolution.

Be it enacted by the Senate of the Student Body at Florida International University assembled,



Kaily LaChapelle



Mia Rodriguez



Grace King



Paulina Marin

Whereas, FIU’s Student Government Association is permitted to pass measures that pertain to local, state, or federal government affairs; and it is the duty of the Senate to express the will and sentiments of the student population and of the Senate through legislation;

Whereas, SR 03 014 stands entirely with the “FIU Faculty Senate Statement on Gov. Desantis’s 2023 Agenda for Higher Education”, which eloquently states “Together, academic freedom and academic tenure help create a vibrant educational and scholarly environment in which students gain the full breadth of knowledge, skills, and abilities, creating informed citizens and able participants in the emerging and existing workforce. Limiting either will reduce the rank and reputation of the Florida university system, diminish student learning and workforce preparedness, impede faculty scholarship and research, and limit the ability to attract and retain the most qualified and esteemed professors. By restricting student learning to the Western tradition, and disallowing the sharing of ideas related to diversity, race, gender and other controversial topics, students will graduate possessing a more limited range of knowledge and abilities than their peers. To be clear, teaching the Western tradition is not the problem; the problem is shielding students from the full universe of ideas.”

Whereas, critical race theory, also known as CRT, is defined as “an academic and legal framework that denotes that systemic racism is part of American society — from education and housing to employment and healthcare. Critical Race Theory recognizes that racism is more than the result of individual bias and prejudice. It is embedded in laws, policies and institutions that uphold and reproduce racial inequalities. According to CRT, societal issues like Black Americans’ higher mortality rate, outsized exposure to police violence, the school-to-prison pipeline, denial of affordable housing, and the rates of the death of Black women in childbirth are not unrelated anomalies.”;¹

Whereas, Banning CRT in this legislation means that there are no discussions that the United States is inherently racist; bans “divisive concepts” such as male privilege, white privilege, equity, unconscious or implicit bias systemic racism; requirement to teach “without giving deference to any one perspective” and provide a counter narrative or opposing view of anything being taught; bans discussions of systemic racism and sexism that would “dismantle”, “hurt feelings” or make someone feel “guilty” about their skin color; eliminates funding for anti-bias, anti-discrimination training; and withholds funds to schools that violate such bans,²

Whereas, Diversity, Equity, and Inclusion (DEI) encompasses, as stated under the FIU DEI Definitions & Statements within the Defining Diversity, Equity, and Inclusion, “‘diversity’ is

¹ “Critical Race Theory FAQ.” *Legal Defense Fund*, 9 Feb. 2023, www.naacpldf.org/critical-race-theory-faq/.

² “Critical Race Theory FAQ.” *Legal Defense Fund*, 9 Feb. 2023, www.naacpldf.org/critical-race-theory-faq/.

defined as ‘including or involving people from a range of different backgrounds,’ our approach is to facilitate that inclusion while ensuring all constituents have a sense of ‘belonging’ within the organization,” as well as “recognize our responsibility to foster an open, welcoming, and inclusive environment of belonging where students, faculty, staff, alumni, and community of all backgrounds can collaboratively learn and work”;³

Whereas, on July 1, 2022, Florida Governor Ron Desantis’s HB 7 “Stop the Wrongs to Our Kids and Employees” (Stop W.O.K.E.) Act went into effect; legislation that consequently removes valuable and educational cultural history, discourse, and historical context from student course content and materials;

Whereas, the language in the Stop W.O.K.E. Act insinuates that teachers and professors are strictly barred from “endorsing” or including in course content relating to topics such as systemic racism, intersectionality, equity, racial justice, prejudice, and more;

Whereas, FIU professors teaching courses pertaining to subjects such as civil rights, ethnic studies, sociology, psychology, civics, and political science are legally bound under the bill to fundamentally alter their courses, thus these unclear phrasings cause professors to struggle when finding ways to teach that remain compliant to the bill;

Whereas, Florida HB 7, S.T.O.P. WOKE Act laid the groundwork for the recent legislation (HB 999/SB 266) that restricts academic freedom and censors education,

Whereas, on Dec. 28, 2022, a memo from Governor DeSantis’ Director of Policy and Budget Chris Spencer requested that Florida’s higher education institutions provide “a comprehensive list of all staff, programs and campus activities related to diversity, equity, and inclusion, and critical race theory” to help the Governor’s Office prepare its “policy and budget proposals ahead of the 2023 Legislative Session”;⁴

Whereas, the state’s public universities were mandated to report the activities of their DEI departments, thus implying the want for information regarding funding, as the Governor

³ Florida International University - Digital Communications. “Dei Definitions & Statements.” *Division of Diversity, Equity & Inclusion | Florida International University*, <https://dei.fiu.edu/our-foundations/dei-definitions-and-statements/index.html>

⁴Payne, Kate. “State Officials Told Universities to Report Their Diversity Spending. Here's How FIU, FAU Responded.” *WLRN*, 25 Jan. 2023, www.wlrn.org/education/2023-01-25/state-officials-told-universities-to-report-their-diversity-spending-heres-how-fiu-fau-responded.

“continues his campaign to restrict how racism, sexism and discrimination are addressed in public classrooms”;⁵

Whereas, Florida Governor ‘s office requested extensive data related to “gender dysphoria services” from state universities; which included exact numbers and information broken down by age for how many transgender related medical visits, treatments given, and facilities involved in gender related treatment since January 1st, 2018,

Whereas, this request for this information is first and foremost discriminatory and predatory behavior towards the transgender community; and second of all severely jeopardized the health, safety, and well-being of our transgender students that receive life-saving gender affirming care,

Whereas, the Governor’s proposed Higher Education Policy for 2023 states that “legislation will ensure Florida’s public universities and colleges are grounded in the history and philosophy of Western Civilization; prohibit DEI, CRT and other discriminatory programs and barriers to learning; and course correct universities’ missions to align education for citizenship of the constitutional republic and Florida’s existing and emerging workforce needs”;⁶

Whereas, the Governor’s proposed Higher Education Policy for 2023 further states that “Requiring institutions’ presidents and Boards of Trustees to take ownership of hiring and retention decisions, without interference from unions and faculty committees; Allowing institutions’ Presidents and Boards of Trustees to conduct a post-tenure review of a faculty member at any time with cause; Providing additional responsibilities and clarifications for FIU’s Adam Smith Center for the Study of Economic Freedom”;⁷

Whereas, House Bill 999 further states that “provide direction to each constituent university on removing from its programs any major or minor in Critical Race Theory, Gender Studies, or Intersectionality, or any derivative major or minor of these belief systems, which is any major or minor that engenders beliefs in the concepts defined in s.75 1000.05(4)(a),⁸

⁵ “Governor Desantis Elevates Civil Discourse and Intellectual Freedom in Higher Education.” *Florida Governor Ron DeSantis*, www.flgov.com/2023/01/31/governor-desantis-elevates-civil-discourse-and-intellectual-freedom-in-higher-education/.

⁶ “Governor Desantis Elevates Civil Discourse and Intellectual Freedom in Higher Education.” *Florida Governor Ron DeSantis*, www.flgov.com/2023/01/31/governor-desantis-elevates-civil-discourse-and-intellectual-freedom-in-higher-education/.

⁷ “Governor Desantis Elevates Civil Discourse and Intellectual Freedom in Higher Education.” *Florida Governor Ron DeSantis*, www.flgov.com/2023/01/31/governor-desantis-elevates-civil-discourse-and-intellectual-freedom-in-higher-education/.

⁸ *The Florida Senate*. House Bill 999 (2023) - The Florida Senate. (n.d.). Retrieved March 6, 2023, from <https://www.flsenate.gov/Session/Bill/2023/999>

Whereas, Governor DeSantis bolsters this initiative by defaming a variety of majors and disciplines when he asserted that these policies incentivize institutions to “prioritize graduating students with degrees that lead to high-wage jobs, not degrees designed to further a political agenda.”⁹

Whereas, Professors are under intense pressure as entire institutions could lose funding due to non-compliance; consequently, leading them to remove important material entirely in fear of termination or of students dramatizing what a professor has instructed and report a violation of the law;

Whereas, FIU should be a safe space for diversity, equity, and inclusion seeing the longstanding history on campus; the Center for Women’s and Gender Studies was established in 1982,

Whereas, our FIU campus is under attack and these following entities are at risk of being banned and shut down: the Center for Women’s and Gender Studies; the Office of Diversity, Equity, and Inclusion; the Office of Social Justice and Inclusion; the Women’s Center; the Pride Center; the Pride Student Union; and the Black Student Union; within these programs include certificates/badges, leadership/mentorship training, and scholarships which cater to thousands of students at FIU,

Whereas, FIU currently spends more than \$3.1 million on its DEI-related initiatives, around 2% of the entire budget,⁹

Whereas, under the FIU DEI Definitions & Statements once again, FIU in their Diversity statement displayed their “deep commitment to diversity, equity, and inclusion” when asserting how the country’s largest Hispanic-Serving Institution “values diversity, equity, and inclusion as integral to our mission as a student-centered public research university strongly focused on learning, research, entrepreneurship, innovation, and creativity so that its graduates are prepared to succeed in a global market”;¹⁰

Whereas, this legislation harms all marginalized students, seeing as DEI and CRT aims to support, empower, and educate individuals about the Black, Indigenous, People of Color, Asian, Disabled, and LGBTQ+ history of oppression,

⁹ “State University System of Florida Reports \$34.5m in Dei Spending: BestColleges.” *BestColleges.com*, 27 Jan. 2023, www.bestcolleges.com/news/florida-universities-report-back-to-desantis-35-million-spent-on-diversity-programs/.

¹⁰ Florida International University - Digital Communications. “Dei Definitions & Statements.” *Division of Diversity, Equity & Inclusion | Florida International University*, <https://dei.fiu.edu/our-foundations/dei-definitions-and-statements/index.html>

Whereas, the implications of HB 999/SB266 would ban select majors, minors, and curriculum; restrict general education core courses; ban all diversity, equity, and inclusion programs; creates a “post” tenure review process at any time; consolidates hiring process of faculty; remove “gender” from non-discrimination funding policy; among many other additional program/changes,

Whereas, the duty of the SGA Senate and overall FIU administration is to promote the well-being and success of all students, meaning it is imperative to foster safe, inclusive spaces and communities on campus; which is the entire mandate of DEI,

Whereas, FIU has become an internationally ranked and recognized higher education university, and the main priority should be expanding resources and talent within and outside the state of Florida,

Whereas, “FIU Faculty Senate Statement on Gov. DeSantis’s 2023 Agenda for Higher Education” states “Gov. DeSantis regularly promotes the Florida State University System’s success, boasting about public universities rapidly rising in the rankings of universities nationwide. Florida universities attract world-renowned researchers, scholars, writers, and teachers, who join the system confident that they can pursue knowledge and impart it to students, with the full support of the university administration, Board of Trustees, Board of Governors, and state government. Without that support, Florida universities will struggle to attract and retain these outstanding educators and researchers, to the detriment of students and the future of the state’s workplaces and community. Florida International University and the other 11 state universities are elite institutions of higher education, ranked among the top public universities in the country. We remind the Governor, Chancellor, Legislature, Board of Governors, Board of Trustees, and university administrators that imposing restrictions on curriculum and undermining academic freedom and tenure will irrevocably undermine the quality of education and training for future generations of Floridians.”

Now, Therefore, Be It Resolved that the Senate of the Student Body strongly supports the funding of DEI, more specifically the continuation of the Office of Diversity, Equity, and Inclusion; the Office of Social Justice and Inclusion; the Women's Center; the Pride Center; Center for Women's and Gender Studies, the Pride Student Union: and the Black Student Union; denounces both HB 7 and HB 999; funds DEI CRT initiatives, classes, majors, minors and discussions; and finally commits to take a larger stance in fighting for diversity, equity, and inclusion and stopping the attacks coming down on our universities, students, communities, and entire state; to ensure Florida International University continues to be a top ranked school globally

Furthermore, Therefore, Be It Resolved by the Senate of the Student Body supports student actions to further the fight to protect academic freedom, DEI, and CRT; which is being supported locally, state wide, and nationally by the National Association for the Advancement of Colored People (NAACP), American Civil Liberties Union (ACLU), Student Power Network, LGBTQ+ National Task Force, Dream Defenders, McKenzie Project, SAVE LGBT, and PRISM.

Now, Therefore, Be It Further Resolved that the Senate of the Student Body calls upon the FIU Board of Trustees and Florida State University System to stand with the sentiments and actions within this resolution to adequately support our students, faculty, and community; and a copy of this Resolution be sent to FIU President, FIU Board of Trustees, FIU Provost, FIU Vice Provost and Department Deans, Florida Student Association, Florida State University Systems, Governor Ron Desantis and his administration, the Florida Board of Governors, Florida Chancellor and Legislature.

Senate Resolution Transmission Form

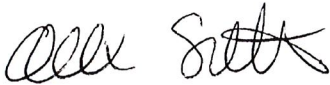
This resolution is presented by the Senate of the Student Body at Florida International University. It is presented affixed with the signatures of Senate Leadership. The Senate President affirms that the information presented below is accurate and that the resolution has successfully passed in the Senate of the Student Body. The resolution is presented on this day and at this hour for signature or veto.

<i>SR 03 014</i>			
Date Introduced:	2/14/2023		
Committees Assigned:	(1) Rules and Administration		
Vote in Committee 1: <i>2/14/2023</i>	0 <i>For</i>	4 <i>Against</i>	0 <i>Abstaining</i>
Remanded on the Senate Floor: <i>03/06/2023</i>	25 <i>For</i>	7 <i>Against</i>	1 <i>Abstaining</i>
Vote on the Senate Floor: <i>03/13/2023</i>	26 <i>For</i>	8 <i>Against</i>	3 <i>Abstaining</i>
 <hr style="width: 80%; margin: 0 auto;"/> Signature of the Senate President	 <hr style="width: 80%; margin: 0 auto;"/> Signature of the Senate President Pro Tempore		

Presidential Signature of a Senate Resolution

On this day, at this time, and in this place, the Senate of the Student Body at Florida International University does hereby present this resolution to the desk of the President of the Student Body for signature or veto. The Senate has passed this resolution and all its accompaniments, in accordance with the Constitution and Statutes of the Student Government Association at Florida International University. It is presented in good faith, whereas the officers of the Senate have affixed their signatures to affirm that the resolution has followed due procedure and is valid. The Senate will await your decision.

SR 03 014



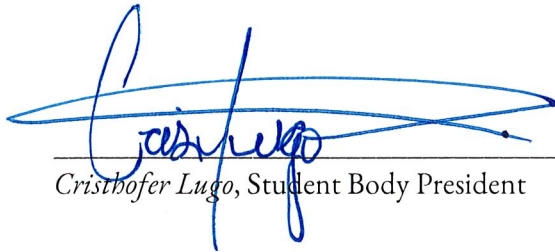
Alexander P. Sutton, Senate President



Zachary Stangl, Senate President Pro-Tempore



Fernando Melara, Senate Floor Leader



Cristhofer Lugo, Student Body President

Approved

Vetoed

