

Memorandum

December 17, 2020

To: Dr. Mary Ellen Cavitt, Interim Vice President for Student Affairs
Via: Dr. Vincent E. Morton, Associate Vice President for Student Affairs/Dean of Students
From: Kathryn A. Weiser, Assistant Dean of Students *KaW*
Subject: Student Government Senate Resolution Legislation 2020-2021

Nineteen pieces of passed 2020-2021 Senate Resolutions from Student Government are attached and listed below.

S.R.2020-2021.01 Resolution to Accept and Implement TXST Covid-19 List of Demands

This legislation intends to support several demands of protestors from the Texas State University administration, which include providing additional paid sick leave; hazard pay; full refunds for tuition and fees; compensation of university and private contractors' hourly and salary employees who were laid off due to COVID-19; suspension of Wells Fargo student loan payments by Wells Fargo; Chartwells payment of sick leave to Chartwells, and rent and evictions freeze by A.C.T. housing affiliates.

S.R.2020-2021.02 Resolution Calling for the University to Adopt Cite and Release Policies

This legislation intends to recommend the University to adopt cite and release policing policies like those adopted by the City of San Marcos in April 2020.

S.R.2020-2021.03 Resolution Calling for Reduced Student Fees for Fall 2020

This legislation intends to recommend the University implement a reduced student fee schedule to not include or lessen fee costs for things students would not be able to use such as for athletics, LBJSC (e.g. SACA events), recreation (e.g. Student Recreation Center), and transportation (e.g. buses).

DEAN OF STUDENTS OFFICE

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This letter is an electronic communication from Texas State University.

S.R.2020-2021.04 Resolution Calling for Budget Transparency

This legislation intends to recommend the President of Texas State University, or her designee must introduce the proposed budget in a manner that provides at least 14 days' time for the Assembly (i.e., Student Senate and Graduate House) to review the budget before the President's presentation to the Assembly.

S.R.2020-2021.05 Resolution in Support of the Reduced Student Fees in Fall 2020 and Calls for Extension of Reductions in Spring 2020

This legislation intends to support the change in fee structure announced by the university for the Fall 2020 outbreak and should the university convert to a fully online academic experience in Fall 2020 or Spring 2021, and reduce access to university resources, Texas State University must develop a reduced student fee schedule for the Athletics Fee, Student Center Fee, Student Recreation Center, Transportation Services Fee, and Student Service Fee based on the level of programs and/or services each funding source will be able to provide to the student body (e.g., student's ability to attend athletic events, reductions to SACA's programming schedule, inability to reserve space in LBJ, inability to use workout facilities, reduced shuttle services, etc.).

S.R.2020-2021.06 Resolution in Support of Adopting 8 Can't Wait Policing Policies

This legislation intends to call for the University Police Department to adopt and enforce the policies articulated by the 8cantwait campaign and have the policies available on their website. (8cantwait.org)

S.R.2020-2021.09 Resolution Calling for Non-Policing Alternatives for Campus Safety

This legislation intends to call for alternative methods for ensuring campus safety and ending the over-policing of Texas State University.

S.R.2020-2021.10 Resolution in Support for The Texas State Employees Union's Petition

This legislation intends to call for Texas State to accept the demands of the TSEU (CWA Local 6186) in full to ensure that Texas State adequately

S.R.2020-2021.11 Resolution Calling for The Texas State University President to Formally Request That the San Marcos District Attorney Drop All Charges Placed Against the Student Protestors Arrested in May 2018 and 2019

This legislation calls for University President Trauth, and all other relevant University administrators, to make a public and formal request for the San Marcos District Attorney to drop all outstanding charges placed against the students and release a public apology for the actions of the University in those instances, in an effort allow healing to take place on campus.

S.R.2020-2021.12 Resolution Calling for the Establishment of a Cultural Activities Fee

This legislation intends to recommend that the University implement a \$5.00 Cultural Activity fee for students enrolled for courses at the San Marcos campus and that students may attend productions and events relating to the fine arts free of charge, and the fee will be overseen by a committee of students and faculty.

S.R.2020-2021.13 Resolution Calling for the Theatre Department to Adjust its Curriculum to Better Accommodate Students

This legislation intends to call for the Theatre Department to adjust courses TH4390 through TH4393 to be less strenuous for students.

S.R.2020-2021.14 Resolution Calling for the Expansion of Mental Health Resources

This legislation calls on the university to adopt outreach for mental health assessments, the adoption of Biofeedback rooms, and more effort towards outreaching for funding for mental health from different sources across the country.

S.R.2020-2021.15 Resolution calling for Stopping Coronavirus Spread by Increasing Testing Capability

This legislation intends for Student Government to urge campus administration and the Student Health Center to speed up testing in an effort to deliver results within at most 2 days due to its time-sensitive importance.

S.R.2020-2021.16 Resolution Calling for the Installation of Artistic Murals

This legislation intends to recommend the university to commission more artistic works on campus and to commission students to do the artwork.

S.R.2020-2021.17 Resolution Calling for Updated Calorie and Diet Specific Information in Dining Halls

This legislation intends to recommend Chartwells provides more updated dietary information to be posted in dining halls.

S.R.2020-2021.18 Resolution Calling for the Creation of Cultural Diversity Flagged Course in Required Curriculum

This legislation intends to recommend the University to flag specific types of cultural diversity courses in the student enrollment system and require two flagged courses for graduation.

S.R.2020-2021.19 Resolution to Leverage Bobcat Trace to Further Mental Health Outreach from the University

This legislation intends to recommend the University reformat Bobcat Trace to be used as a way for students to assess their mental health state, and potentially get on track to receiving aid streamlining the scheduling process.

S.R.2020-2021.20 Resolution Calling on Free Masks in Major Student Service Buildings

This legislation intends to recommend free masks at entrances of student services buildings such as Alkek, LBJSC, and the Student Recreation Center.

S.R.2020-2021.21 Resolution to Encourage Fee Transparency When Registering for Classes, Through an Online Code Pledge

This legislation intends to have a pledge that will be sent out to professors so they can choose to sign it or not, in an effort to be more transparent about course fees.



Memorandum

To: Dr. Vincent Morton Associate Vice President for Student Affairs and Dean of Students

Kathryn A. Weiser, Assistant Dean of Students

Date: December 17, 2020

From: Catching Valentinis-Dee, Student Body President

Subject: Student Government Passed Legislation: Senate Resolutions

With the intention of honoring the senate's role as a representative body, no resolution passed by the senate during the year 2020 was vetoed. However, I hold my strongest reservations about three particular pieces. I request that my reservations be attached to these selected pieces.

Legislation Passed: S.R.2020-2021.09 Resolution Calling for Non-Policing Alternatives for Campus Safety

Number of Vote: <number>

This legislation is misguided, poorly constructed, and dishonestly represents TXST UPD and campus policing. Furthermore, the enclosed recommendation to defund UPD would result in an unacceptably negative impact upon their ability to ensure student safety and campus security.

Legislation Passed: S.R.2020-2021.11 Resolution Calling for The Texas State University President to Formally Request That the San Marcos District Attorney Drop All Charges Placed Against the Student Protestors Arrested in May 2018 and 2019

Number of Vote: <number>

Acceptance of this legislation by the TXST Administration would be a direct incentivization of unlawful action and disobedience by students. Secondly, the content of this legislation was misrepresented before the senate by its author and sponsors during consideration.

Legislation Passed: S.R.2020-2021.12 Resolution Calling for the Establishment of a Cultural Activities Fee

Number of Vote: <number>

This legislation recommends the introduction of a universal fee for a service already available to students at "a highly reduced cost", in the words of the piece. At this time, the greater student population is wholly uninterested in increasing the cost of attendance for this purpose.

Acknowledged are the following pieces considered and passed by the Student Senate.

Legislation Passed: S.R.2020-2021.01 Resolution to Accept and Implement TXST Covid-19 List of Demands

Number of Vote: 25 voted in favor, 0 voted in opposition, 2 voted to abstain

Legislation Passed: S.R.2020-2021.02 Resolution Calling for the University to Adopt Cite and Release Policies

Number of Vote: 27 voted in favor, 0 voted in opposition, 0 voted to abstain

Legislation Passed: S.R.2020-2021.03 Resolution Calling for Reduced Student Fees for Fall 2020

Number of Vote: 27 voted in favor, 0 voted in opposition, 0 voted to abstain

Legislation Passed: S.R.2020-2021.04 Resolution Calling for Budget Transparency

Number of Vote: 30 voted in favor, 0 voted in opposition, 1 voted to abstain

Legislation Passed: S.R.2020-2021.05 Resolution in Support of the Reduced Student Fees in Fall 2020 and Calls for Extension of Reductions in Spring 2020

Number of Vote: 31 voted in favor, 0 voted in opposition, 0 voted to abstain

Legislation Passed: S.R.2020-2021.06 Resolution in Support of Adopting 8 Can't Wait Policing Policies

Number of Vote: 17 voted in favor, 14 voted in opposition, 0 voted to abstain

Legislation Passed: S.R.2020-2021.10 Resolution in Support for The Texas State Employees Union's Petition

Number of Vote: 20 voted in favor, 9 voted in opposition, 0 voted to abstain

Legislation Passed: S.R.2020-2021.13 Resolution Calling for the Theatre Department to Adjust its Curriculum to Better Accommodate Students

Number of Vote: 20 voted in favor, 10 voted in opposition, 0 voted to abstain

Legislation Passed: S.R.2020-2021.14 Resolution Calling for the Expansion of Mental Health Resources

Number of Vote: 24 voted in favor, 0 voted in opposition, 0 voted to abstain

Legislation Passed: S.R.2020-2021.15 Resolution calling for Stopping Coronavirus Spread by Increasing Testing Capability

Number of Vote: 24 voted in favor, 0 voted in opposition, 0 voted to abstain

Legislation Passed: S.R.2020-2021.16 Resolution Calling for the Installation of Artistic Murals

Number of Vote: 18 voted in favor, 8 voted in opposition, 0 voted to abstain

Legislation Passed: S.R.2020-2021.17 Resolution Calling for Updated Calorie and Diet Specific Information in Dining Halls

Number of Vote: 29 voted in favor, 0 voted in opposition, 0 voted to abstain

Legislation Passed: S.R.2020-2021.18 Resolution Calling for the Creation of Cultural Diversity Flagged Course in Required Curriculum

Number of Vote: 16 voted in favor, 10 voted in opposition, 0 voted to abstain

Legislation Passed: S.R.2020-2021.19 Resolution to Leverage Bobcat Trace to Further Mental Health Outreach from the University

Number of Vote: 26 voted in favor, 0 voted in opposition, 0 voted to abstain

Legislation Passed: S.R.2020-2021.20 Resolution Calling on Free Masks in Major Student Service Buildings

Number of Vote: 28 voted in favor, 0 voted in opposition, 1 voted to abstain

Legislation Passed: S.R.2020-2021.21 Resolution to Encourage Fee Transparency When Registering for Classes, Through an Online Code Pledge

Number of Vote: 30 voted in favor, 0 voted in opposition, 0 voted to abstain

AUTHOR

Senator DeSalvo, Cody
Senator Cleveland, Jacob

SPONSORS

Senator Camargo, Eduardo
Senator Carrico, Zachery
Senator Retz, Cody
Senator Moloney, Patrick
Senator Halter, Colton
Senator Gurvitz, Shoval
Senator Adu-Nyako, Kojo
Senator Martinek, Asher

Date of First Reading: April 27, 2020
S.R.2020-2021.02

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A Resolution -

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To be known as "A Resolution Calling for the University to Adopt Cite and Release Policies," which calls on the University administration to cite and release policing policies like those adopted by the City of San Marcos in April 2020.

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WHEREAS: State law allows the use of citation in place of arrest for certain misdemeanor offenses; and

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WHEREAS: The San Marcos City Council adopted new policies for the San Marcos Police Department (SMPD) related to cite and release, the ordinance designating specific offenses as eligible for cite-and-release, encouraged SMPD to exercise this discretion, and called for the publication of specific information on said incidents; and

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WHEREAS: The City of Austin and City of San Antonio have also adopted "Freedom City Policies" that outline a desire by their communities to see less incarceration among their citizens; and

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16 **WHEREAS:** Students at Texas State University should not be subject to
17 differing policing policies depending on the department of
18 jurisdiction and where local policies are more appropriate for the
19 university they should be evaluated and adopted therein; and

20 **WHEREAS:** The Student Government acknowledges that University Police
21 Officers can exercise their discretion to issue a citation instead of
22 arresting individuals for certain offenses when authorized by State
23 law under article 14.08 of the Texas Code of Criminal Procedure; and

24 **WHEREAS:** The Student Government wishes Texas State University Police
25 Department (UPD) to further its commitment to increase the use of the
26 cite and release process as part of a combined strategy, in cooperation
27 with the San Marcos Police Department (SMPD), Hays County Criminal
28 District Attorney's Office, to divert eligible individuals from being
29 incarcerated, prosecuted, and convicted in the criminal justice
30 system; and

31 **WHEREAS:** The Student Government deems it necessary to have UPD gather,
32 report, and publish statistical information to demonstrate trends in
33 the department's use of the cite and release process, including the
34 frequency of use, offense type, the justification for arrest (when an
35 arrest is made), and the age, race, and ethnicity of individuals who
36 were arrested and jailed instead of receiving citations and being
37 released for the same offense; therefore,

38 **BE IT RESOLVED:** That Texas State University Police Department
39 (UPD) adopt an increased use of cite and release related policing,
40 rather than arrests, in appropriate circumstances, for individuals

41 suspected of committing the following offenses, in accordance with
42 article 14.06 of the Texas Code of Criminal Procedure:

- 43 1. Class C misdemeanors other than public intoxication,
44 assault, or family violence.
- 45 2. Possession of Marijuana less than 4 oz, Class A or Class B
46 misdemeanor
- 47 3. Driving while License Invalid, Class B misdemeanor
- 48 4. Criminal Mischief, Class B misdemeanor
- 49 5. Graffiti, Class A or Class B misdemeanor
- 50 6. Theft of Property, Class B misdemeanor
- 51 7. Theft of Services, Class B misdemeanor

52 **BE IT FURTHER RESOLVED:** That the University adopt policies like those
53 used in the recently passed San Marcos City Council ordinance, as
54 amended, including proper discretion to police to issue verbal warnings
55 or detain when required for public or personal safety; and

56 **BE IT FURTHER RESOLVED:** That the Vice President for Finance and
57 Support Services, or designee, will provide and make available to the
58 Texas State University community a quarterly report or memorandum
59 concerning the use of the cite and release process instead of arrest
60 in instances when a ticket or citation is allowed by state law. This
61 report or memorandum must be provided to the Student Senate and Student
62 Body President and made public quarterly via the appropriate website
63 and should document anonymized records of every instance that a student
64 was issued a citation instead of arrest and every instance that a
65 student was arrested for a nonviolent misdemeanor charge when the

66 suspect had no outstanding warrants, was not intoxicated and legally
67 could have been given a citation, but an arrest was made anyway and
68 shall include the justifications for the arrests. The memorandum shall
69 also include the following data for each instance:

- 70 1. The reason for the stop;
- 71 2. The particular offense alleged;
- 72 3. The age, race, and ethnicity of the person arrested;
- 73 4. The location where the incident occurred.
- 74 5. The reason for the arrest.

75 **BE IT FURTHER RESOLVED:** That information regarding specific
76 arrests shall be organized according to race and ethnicity to allow
77 racial disparities to be easily analyzed. This report or memorandum
78 should not include information that would jeopardize any ongoing
79 criminal investigation or prosecution, or information that is
80 protected by the Federal Educational Rights and Privacy Act (FERPA)
81 and the report should include the number of unduplicated officers
82 making such discretionary arrests; and

83 **BE IT FURTHER RESOLVED:** That upon passage this resolution be
84 forwarded to the Student Body President for Further action.