



## California State University Maritime Academy Faculty Senate

Resolution 21-22/05

November 18, 2021

Vote (For/Against): 17/0

### Support for ASCMA Resolution on CSU Maritime Academy Grooming Standards

WHEREAS, The CSU Maritime Academy Cadet Handbook, Page 11 states, “Wearing a uniform fosters a sense of belonging & equity, instills pride & discipline and prepares cadets for their maritime profession.”; and

WHEREAS, The U.S. Equal Opportunity Employment Commission, in Guidance Document CM-619: Grooming Standards, states, “It is the Commission's position, however, that the disparate treatment theory of discrimination is nevertheless applicable to those situations in which an employer has a dress and grooming code for each sex but enforces the grooming and dress code only against males with long hair.”<sup>1</sup>; and

WHEREAS, The CSU Maritime Academy Cadet Handbook, Page 17 states, “Grooming standards reflect our core values and demonstrate our commitment to safety, inclusion, and professionalism.”; and

WHEREAS, The implementation of gender neutral grooming standards would create an inclusive environment that allows cadets to express themselves without requiring authorization and approval for categorization in a specific gender identity; and

WHEREAS, Gender neutral grooming standards were trialed during the 2020-21 academic year<sup>2</sup> and gender neutral grooming standards were independently presented by the Gender Equity Committee to Cadet Affairs in 2021;

THEREFORE BE IT

RESOLVED: That the Faculty Senate recognize, endorse, and distribute the ASCMA Resolution on CSU Maritime Academy Grooming Standards (attached); and be it further

RESOLVED: That the Faculty Senate urge Cadet Affairs to revise uniform and grooming standards such that they can be applied to all cadets equitably; and be it further

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<sup>1</sup><https://www.eeoc.gov/laws/guidance/cm-619-grooming-standards>

<sup>2</sup><https://web.archive.org/web/20210307085854/https://www.csum.edu/corps-of-cadets/uniforms/cadet-grooming.html>

RESOLVED: That the Faculty Senate distribute this resolution to the President of CSU Maritime Academy, the President's Cabinet, the Compass, all faculty, students, and staff of CSU Maritime Academy, and Chancellor Castro.



The Associated Students of the California Maritime Academy

We, the Associated Students of CSU Maritime Academy, will not be complacent with discrimination or an invasion of cadet privacy. The grooming standards set forth by CSU Maritime are discriminatory and violate a cadet's right to privacy.

WHEREAS,

CSU Maritime's Cadet Handbook must comply with all other CSU policies, specifically [Executive Order 1097](#) where it says the following:

A. **Prohibited Conduct.** The CSU prohibits:

1. Discrimination, including Harassment, because of any Protected Status: i.e., age, Disability (physical and mental), Gender (or sex), Gender Identity (including transgender), Gender Expression, Genetic Information, Marital Status, Medical Condition, Nationality, Race or Ethnicity (including color or ancestry), Religion (or Religious Creed), Sexual Orientation, sex stereotype, and Veteran or Military Status;

The University shall respond promptly and effectively to all complaints of Discrimination ... and shall take appropriate action to prevent, correct, and discipline conduct that violates this policy.

B. **Discrimination.** The CSU strives to be free of all forms of Discrimination, including Harassment, because of a Protected Status. It is CSU policy that no Student shall be excluded from participation in, or be denied the benefits of, any CSU program or activity because of any Protected Status.

WHEREAS,

The definition of discrimination (per Merriam-Webster) is "the practice of unfairly treating a person or group of people differently from other people or groups of people".

WHEREAS,

Part of the California State Universities mission is to promote an understanding and appreciation of the peoples, natural environment, cultures, economies, and diversity of the world.

WHEREAS,

The grooming standards for the length of hair discriminate on the basis of gender.

WHEREAS,

The grooming standards for who can wear earrings discriminate on the basis of gender.

WHEREAS,

The grooming standards for the color of nail polish discriminate on the basis of skin tone.

WHEREAS,

The grooming standards require trans/non-binary/genderfluid/genderqueer cadets to openly discuss their gender identity and expression with authority figures, namely The Director of Cadet Equity and Commandant of Cadets, in order to adopt non-binary and/or different gender expressions and/or change gender identity to better fit their sense of self.

WHEREAS,

Current guidance from Cal Maritime leaders indicates that policies will be enforced through the chit system, which essentially means that trans/non-binary/genderfluid/genderqueer cadets will be subject to interrogation practices by authority figures (Corps leadership, Commandants, etc.), where they will be required to out themselves in order to continue expressing their gender identity – a violation of their right to privacy.

WHEREAS

Cadets can receive demerits for not following discriminatory grooming standards which can adversely affect their billet standing for Commercial Cruise (and thus potential future job prospects), their standing as a cadet (75+ demerits means a one year suspension), and extra-duty hours (time away from studies, extra-curricular school events, work, etc.).

**Therefore, be it Resolved** that the Associated Students of CSU Maritime calls upon CSU Maritime and its campus leaders, namely the Office of the Commandant, President, and his cabinet to live up to the values of the CSU system, outlined in its Mission Statement, and obligations as outlined in Executive Order 1097 by:

- 1) Immediately revising CSU Maritime's grooming standards to ensure cadets privacy is respected, and affirm the rights of cadets of all genders by;
  - a. Removing the gender basis for hair length;
  - b. Removing the gender basis for earrings;
  - c. Removing the skin tone basis for nail polish color; and
- 2) Immediately removing all requirements for trans/non-binary/genderfluid/genderqueer cadets to meet with, discuss, or get approval for individuals' adoption of new and/or different gender expressions.
- 3) Including cadets, faculty, and staff, best able to represent a trans, non-binary, genderfluid, and genderqueer voice in the revision process.