



**Middle
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Association**
of North America, Inc

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19 August 2024

The Honorable Mike McGuire
President Pro Tempore, California Senate

Members of the California Senate

Dear Senator McGuire and Fellow Senators:

We write on behalf of the Middle East Studies Association of North America (MESA) and its Committee on Academic Freedom to express our grave concern about Senate Bill 1287, which threatens the constitutionally protected right of students at California's public universities and colleges to freedom of speech and assembly.

MESA was founded in 1966 to promote scholarship and teaching on the Middle East and North Africa. The preeminent organization in the field, the Association publishes the prestigious *International Journal of Middle East Studies* and has nearly 2,800 members worldwide. MESA is committed to ensuring academic freedom and freedom of expression, both within the region and in connection with the study of the region in North America and outside of North America.

In its current form, as amended, [SB 1287](#) requires that the California State University system and the governing board of each community college district “prohibit violent, harassing, intimidating, or discriminatory conduct that creates a hostile environment on campus.” In pursuit of this aim, the bill requires the publication on campus websites of time, place and manner rules for demonstrations. It also requires the development and implementation of mandatory training programs for students on “[w]hat constitutes violent, harassing, intimidating, or discriminatory conduct that creates a hostile environment on campus, and the procedures for investigating violations of the student code of conduct.” The bill further “requests” that the University of California system comply with these same provisions.

While no student should be subjected to “violent, harassing, intimidating, or discriminatory conduct,” we regard the bill as redundant and therefore unnecessary. Current state and federal [law](#) already protects members of campus communities from discrimination and harassment. Moreover, within the University of California system and the California State system we note the existence of specific anti-discrimination policies: [the Anti-Discrimination Policy](#) and the [CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct](#),



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[Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation](#). We note that all three components of California's public higher education system already have "time, place and manner" regulations that apply to demonstrations. We must also question the wisdom of mandating the creation of new and untested training programs and reporting procedures when California's higher education system is facing a severe [budget crisis](#). SB 1287 would only add to the financial burdens which already threaten to compromise the educational mission of the state's universities and colleges.

We are also concerned that the vagueness of the bill's language, specifically concerning the terms "harassment," "discrimination," and "hostile environment," poses a danger to the free exercise of First Amendment rights by students. We are well aware that the introduction of this bill was prompted by demonstrations by students at California's public universities and colleges protesting the Israeli war in Gaza. This suggests that its real goal is to target specific groups of student protestors and more effectively sanction them for exercising their First Amendment rights.

We therefore urge those of you who have endorsed SB 1287 to promptly withdraw your support of this unsound and potentially dangerous bill, and we call on all members of the California State Legislature to oppose its enactment into law.

We look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ashi Ü. Bâli'.

Ashi Ü. Bâli
MESA President
Professor, Yale Law School

A handwritten signature in black ink, appearing to read 'Laurie Brand'.

Laurie Brand
Chair, Committee on Academic Freedom
Professor Emerita, University of Southern California