

Dear CSU Administrators and Trustees:

We are writing as members of CSU faculty about our serious concerns with the addition of “Caste” as a protected category in Article 16.1 (Non Discrimination) of our new Collective Bargaining Agreement. We believe that this addition is a misguided overreach without any evidence for its need and that instead of curbing discrimination, it will cause more discrimination by unconstitutionally singling out and targeting Hindu faculty of Indian and South Asian descent.

We request that the new Collective Bargaining Agreement be approved only after removing caste as a protected category and that we meet in order for us to present evidence of the complete lack of due diligence exercised in the decision-making process.

On January 14, 2022, some of us met with CFA leadership to better understand the rationale for the addition of caste to the new faculty Collective Bargaining Agreement. It was clear during the meeting that CFA leaders had no understanding of the issue nor of the potential legal ramifications of the change. They were not able to answer our basic questions, including: (i) how many Indian/South Asian descent faculty members were consulted before the decision was made? (ii) how many cases of alleged caste-based discrimination within the CSU system had ever been filed? (iii) whether existing policy, which already covers national origin, ethnicity, and ancestry, had failed to provide remedy to any such claims? and (iv) how they would be defining and adjudicating caste? The ostensive “caste expert” they brought to our meeting spoke exclusively of Indians and South Asians in the context of caste, postulated false and negative stereotypes, and demonstrated little to no understanding of the lived experiences and realities of Indian Americans. Even more upsetting was her exclusive reliance on an anti-Hindu activist organization’s (Equality Labs) non-scientific survey to justify her position.

Moreover, the CFA leadership were completely unaware of a comprehensive, multi-institutional scientific study conducted by the Carnegie Endowment with the University of Pennsylvania and Johns Hopkins – [Social Realities of Indian Americans: Results From the 2020 Indian American Attitudes Survey](#). This scientific study not only negates all the flawed claims made by Equality Labs, but specifically dismisses the non-scientific and biased means by which Equality Labs gathered and analyzed its purported data. The Carnegie Endowment report authors clearly spell out in footnote 29 that, *“This (Equality Labs) study relied on a nonrepresentative snowball sampling method to recruit respondents. Furthermore, respondents who did not disclose a caste identity were dropped from the data set. Therefore, it is likely that the sample does not fully represent the South Asian American population and could skew in favor of those who have strong views about caste.”*

We had previously met with the CFA president in May 2021 about this possibility and were assured that no such decision would be made without consulting those of us who would be directly impacted by the addition of caste in protected category. To our great disappointment, CFA did not consult any of us. We have attached our correspondence with CFA expressing our concerns and request to reconsider the addition. In summary, CFA negotiated this important change with CSU without any understanding of the underlying issues or doing the proper due diligence to understand it.

We believe approval of the Collective Bargaining Agreement, which includes caste as an additional protected category (in Article 16.1: Non-Discrimination), is in the upcoming Board of Trustees agenda scheduled for January 24-25. We strongly urge you to exercise due diligence, and in addition to conducting basic fact-finding, consult legal counsel about the liabilities CSU will incur by instituting a policy change that singles out and applies only to a particular group of faculty on the basis of our national identity, ethnicity, ancestry, or religion.

Once you have done so, we have no doubt that you will reach the conclusion that the measure (1) is a misguided overreach given the existence of comprehensive policies which already protect against various forms of discrimination, including national origin, ethnicity, and ancestry, which can extend to caste, sect, clan, etc. if and when such claims are made; (2) is not sound in the absence of any scientifically reliable evidence or data; and (3) rather than redressing discrimination, will actually cause discrimination by unconstitutionally singling out and targeting Hindu faculty of Indian and South Asian descent as members of a suspect class because of deeply entrenched, false stereotypes about Indians, Hindus, and caste.

For decades, Californians of Indian and South Asian descent have positively contributed to our state and our country in countless and immeasurable ways. Faculty and staff of Indian and South Asian descent have helped make the universities in the CSU system centers of excellence in nearly every field. Yet, today, we find ourselves being the unfair target of a discriminatory policy that is being justified on the basis of racist stereotypes and that too in the absence of any evidence and without fair hearing.

Accordingly, we request that you approve of the Collective Bargaining Agreement only after removal of the discriminatory insertion of "caste" as an additional category, and meet with concerned faculty should you have any questions.

Sincerely,

List of 80+ CSU Faculty suppressed