



Sabrina Conza <[sabrina.conza@thefire.org](mailto:sabrina.conza@thefire.org)>

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**Re: Letter from the Foundation for Individual Rights and Expression,  
April 6, 2023**

Robert King <[bobbyking@sfsu.edu](mailto:bobbyking@sfsu.edu)>

Thu, Apr 6, 2023 at 6:29 PM

To: Sabrina Conza <[sabrina.conza@thefire.org](mailto:sabrina.conza@thefire.org)>

Cc: Equity Programs and Compliance <[equityprograms@sfsu.edu](mailto:equityprograms@sfsu.edu)>

Dear Sabrina,

SF State stands by its long commitment to academic freedom and freedom of expression. We are also committed to being a university where all students and employees have the right to learn and work in an environment that is free of discrimination, harassment, sexual misconduct and retaliation. While we cannot comment on specific reports or investigations, we can supply some information about our [nondiscrimination policy](#).

The University has a duty to respond to all reports of discrimination, harassment, sexual misconduct, sexual exploitation, dating violence, domestic violence, stalking and retaliation. When a complaint is reported to the University, our Equity Programs and Compliance Office is obligated to assess the report and provide outreach to the complainant named in the report. An investigation is opened if, accepting the reported conduct as true, it may constitute a violation of the nondiscrimination policy. It is important to note that in making this determination, the Title IX Coordinator/DHR Administrator does not make a qualitative assessment of the reported conduct and the opening of an investigation does not mean that any decision has been made that the respondent is in any way responsible.

Once an investigation is initiated, the University has limited ability to dismiss it. The [nondiscrimination policy](#) only allows for discretionary dismissal of an ongoing investigation if the complainant withdraws the complaint or the University cannot gather the evidence necessary to reach a determination.

For the last year or so, the CSU and SF State have been undergoing a thorough review of these policies and procedures. The University continually seeks to improve our policy and processes for responding to complaints of alleged discrimination, harassment, and retaliation based on evolving law, best practices and lessons learned. Shortly, in connection with the forthcoming report and recommendations by Cozen O'Connor, the University will begin making changes and improvements to its implementation of the nondiscrimination policy. While we cannot, as stated above, intervene in a current investigation, we will use this case to review our current policy and processes to ensure that they support a safe community without having a chilling effect on academic freedom and freedom of expression.

Bobby King

*Director of Communications, Office of the President*

San Francisco State University

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**From:** Sabrina Conza <[sabrina.conza@thefire.org](mailto:sabrina.conza@thefire.org)>

**Date:** Thursday, April 6, 2023 at 8:00 AM

**To:** President's Office <[president@sfsu.edu](mailto:president@sfsu.edu)>

**Cc:** Equity Programs and Compliance <[equityprograms@sfsu.edu](mailto:equityprograms@sfsu.edu)>

**Subject:** Letter from the Foundation for Individual Rights and Expression, April 6, 2023

Dear President Mahoney:

Please see the attached letter from the Foundation for Individual Rights and Expression (FIRE). A copy of this letter was sent via next-day delivery today.

Sincerely,

**Sabrina Conza**

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Foundation for Individual Rights and Expression  
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