

Time for Tuite to go

San Jose State administrators and the California State University Board of Trustees should be ashamed of their mishandling of Scott Shaw's decade-long sexual misconduct allegations and must terminate administrators who allowed it to happen.

The university's lack of action has made it painfully obvious it doesn't care about its students.

Shaw is the former sports medicine director who was employed from 2008 until his August 2020 resignation, according to an April 27 Spartan Daily article.

He was still employed after SJSU investigated allegations of abuse involving Shaw in 2009 after swimming and diving athletes reported Shaw touched them inappropriately during physical therapy. The university's initial investigation found "no wrongdoing," according to an April 17, 2020 USA Today article.

Current Athletic Director Marie Tuite enabled Shaw after becoming employed at SJSU in 2010 as athletics chief operations officer. While the investigation closed the same year, numerous allegations from 17 athletes about sexual misconduct should've raised concern.

In a 2012 email to Tuite, Shaw agreed to no longer treat swimming and diving athletes unless in an emergency situation, according to a March 2 Spartan Daily article.

The email suggests Tuite was aware of Shaw's actions toward female athletes yet she did nothing to protect them.

In December 2019, years after Tuite was promoted to athletic director, swimming and diving coach Sage Hopkins sent a 300-page dossier of allegations against Shaw to the university's Title IX office, Mountain West Conference officials and NCAA officials.

It wasn't until Hopkins was forced to take action and speak out against the alleged ongoing sexual misconduct that the investigation was reopened and the CSU found Shaw responsible for at least five accounts so far.

Tuite is supposed to serve and protect student-athletes but she endangered their well-being by allowing Shaw to remain in his position for years and continue his alleged sexual abuse.

Tuite even went as far as to retaliate against employees including Hopkins who took action to protect student-athletes and speak out against Shaw.

Tuite, top SJSU administrators and the CSU are facing not one, not two, but three separate retaliation lawsuits following the reinvestigation.

Former SJSU deputy athletic director Steve O'Brien filed a suit against the university in March, alleging he was wrongfully terminated after he refused to engage in retaliation against Hopkins according to a March 3 San Francisco Chronicle article.

The reckoning shouldn't end with Tuite. Papazian and the entire CSU board of trustees need to take responsibility for their missteps, lack of transparency and failure to protect students.

Unsurprisingly, O'Brien was not the only member of the athletics department to come forward.

Former softball coach Peter Turner also filed a lawsuit against the university, claiming his contract was not renewed in 2020 as retaliation for whistleblowing in Shaw's case, according to an April 26 Daily Mail article.

Hopkins has also filed suit against Tuite and the CSU board of trustees for attempting to damage his reputation in retaliation for his persistence in investigating Shaw, according to his lawsuit obtained by the Spartan Daily.

According to the lawsuit, Tuite said it was unprofessional of Hopkins to report Shaw's actions to the NCAA because it embarrassed her and the university. Tuite gave him an "adverse job performance/review" which was deemed retaliatory by the CSU.

Tuite demanded his complaints against her be dropped in exchange for continued employment around May 2020, according to the suit.

These are just some of the numerous documented acts of retaliation Tuite has committed, according to the three lawsuits.

This is not the first time Tuite has prioritized public image over the safety of students.

When she was employed at the University of Washington as the senior associate athletic director, a female student-athlete informed Tuite she was sexually assaulted, according to a Feb. 12, 2008 article by The Seattle Times. Tuite told the athlete not to contact police and if the assault spread, "it would reflect poorly" on the university.

The fact that things have spiralled so far without her removal is baffling.

SJSU President Mary Papazian acknowledged Shaw's misconduct and apologized for the breach of trust and stated, "The safety and well-being of our community are of paramount importance at SJSU," in an April 15 campuswide email.

If Papazian is serious about the well-being of students, then she must fire Tuite.

Under Papazian's leadership, countless athletes have been abused and their truths have been neglected.

Sexual abuse is associated with negative mental health outcomes including PTSD, depression, anxiety, substance use disorders and suicidal behavior, according to a 2019 Journal of Behavioral Sciences study.

A 2008 UNICEF analysis found 98% of abused athletes were harmed at the hands of teachers, coaches and other authority figures.

Our student-athletes have suffered mentally and emotionally because of the trauma of their abuse that Papazian and Tuite could've stopped.

But money talks, isn't that correct, Papazian and Tuite?

Our administrators know well that allegations of misconduct like Shaw's can be incredibly damaging to the university's reputation, enrollment and above all else - limit the money flowing into university coffers.

Clearly, Papazian and her administration are more interested in silencing faculty and staff instead of protecting students.

The reckoning shouldn't end with Tuite. Papazian and the entire CSU board of trustees need to take responsibility for their missteps, lack of transparency and failure to protect students.

For Tuite to be served three different retaliation lawsuits and still keep a position that oversees several administrators, coaches, employees and students is deplorable for the university and the CSU system as a whole.

Drastic changes must be made immediately. Reparations are needed not just for Shaw's victims, but also for the victims of Tuite's retaliation and the wider CSU community that is watching this unfold without substantial action from the university to stop this from happening again.

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