

RESOLUTION ON SUPPORT FOR EDUCATIONAL EQUITY PROGRAMS AT HSU
- OPPOSITION TO THE CALIFORNIA CIVIL RIGHTS INITIATIVE
(#01-96/97-EP)

- WHEREAS, The Academic Senate of Humboldt State University recognizes that equity of access to and success in its programs for each of its students is central to the mission of the University; and
- WHEREAS, Resolution AS-2330-96/AA of the Academic Senate of the California State University [attachment] opposes the proposed state constitutional amendment by initiative titled, *California Civil Rights Initiative*, because of its potential negative impact on educational equity; and
- WHEREAS, The Academic Senate of Humboldt State University concurs with resolution AS-2330-96/AA of the Academic Senate CSU; therefore, be it
- RESOLVED: That the Academic Senate of Humboldt State University reaffirm its support for educational equity programs offered by Humboldt State University; and be it further
- RESOLVED: That the Academic Senate of Humboldt State University support Resolution AS-2330-96/AA of the Academic Senate CSU.

**ACADEMIC SENATE
of
THE CALIFORNIA STATE UNIVERSITY**

AS-2330-96/AA

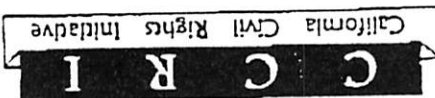
May 9-10, 1996

Support for Educational Equity Programs in the CSU
- Opposition to the California Civil Rights Initiative

- WHEREAS, The Academic Senate of the California State University is committed to equity of opportunity for access to and success in higher education; and
- WHEREAS, Historical, socioeconomic, cultural, and institutional factors contribute to lower matriculation and persistence rates of students from particular racial/ethnic groups and gender representation in selected disciplines; and
- WHEREAS, Educational Equity Programs in the California State University attempt to redress inequities in access to and opportunity for success in higher education; and
- WHEREAS, Outreach programs that attempt to increase the pool of CSU eligible students from underrepresented racial/ethnic groups, that identify and encourage students from these groups to attend college, and that facilitate access are central to the mission of the CSU; and
- WHEREAS, Support programs that address income disparities among various racial/ethnic groups and attempt to create an environment that is sensitive to and meets the academic and personal needs of students from underrepresented racial/ethnic groups are necessary to increase the persistence and success of students from these groups; and
- WHEREAS, A proposed statewide constitutional amendment by initiative titled, *California Civil Rights Initiative* (CCRI) contains a provision that has been interpreted by the Legislative Analyst as applying to educational equity programs in the CSU and if approved, may be enforced in a way that prohibits the CSU from continuing to dedicate efforts to the recruitment and support of students from underrepresented racial/ethnic groups; therefore be it
- RESOLVED: That the Academic Senate of the California State University reaffirm its support for the principles that guide programs to achieve educational equity in the CSU as articulated in Academic Senate CSU resolution AS-2274-95, adopted on March 9-10, 1995 (attached); and be it further

- RESOLVED:** That the Academic Senate CSU support the continuation of Educational Equity Programs in the CSU that attempt to address the specific needs of students from underrepresented groups; and be it further
- RESOLVED:** That the Academic Senate CSU oppose the proposed state constitutional amendment by initiative titled, *California Civil Rights Initiative* because of the potential for its interpretation and application to perpetuate limited access to higher education of persons from specific racial/ethnic groups; and be it further
- RESOLVED:** That the Academic Senate CSU urge the campus senates to consider and endorse this resolution.

APPROVED UNANIMOUSLY -- May 9-10, 1996



CALIFORNIA CIVIL RIGHTS INITIATIVE

CCRI

A proposed statewide constitutional amendment by initiative

- 1 (a) The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.
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- 4 (b) This section shall apply only to action taken after the section's effective date.
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- 6 (c) Nothing in this section shall be interpreted as prohibiting bona fide qualifications based on sex which are reasonably necessary to the normal operation of public employment, public education, or public contracting.
- 7
- 8 (d) Nothing in this section shall be interpreted as invalidating any court order or consent decree which is in force as of the effective date of this section.
- 9
- 10 (e) Nothing in this section shall be interpreted as prohibiting action which must be taken to establish or maintain eligibility for any federal program, where ineligibility would result in a loss of federal funds to the state.
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- 12
- 13 (f) For the purposes of this section, "state" shall include, but not necessarily be limited to, the state itself, any city, county, public university system, including the University of California, community college district, school district, special district, or any other political subdivision or governmental instrumentality of or within the state.
- 14
- 15
- 16 (g) The remedies available for violations of this section shall be the same, regardless of the injured party's race, sex, color, ethnicity, or national origin, as are otherwise available for violations of then-existing California antidiscrimination law.
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- 20 (h) This section shall be self-executing. If any part or parts of this section are found to be in conflict with federal law or the United States Constitution, the section shall be implemented to the maximum extent that federal law and the United States Constitution permit. Any provision held invalid shall be severable from the remaining portions of this section.
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Date: September 25, 1995
File No: SA95RF0014

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

PROHIBITION AGAINST DISCRIMINATION OR PREFERENTIAL TREATMENT BY STATE AND OTHER PUBLIC ENTITIES. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits the state, local governments, districts, public universities, colleges, and schools, and other government instrumentalities from discriminating against or giving preferential treatment to any individual or group in public employment, public education, or public contracting on the basis of race, sex, color, ethnicity, or national origin. Exempts reasonably necessary sex-based classifications and actions necessary for receipt of federal funds from prohibition. Mandates enforcement to the extent permitted by federal law. Requires uniform remedies for violations. Provides for severability of provisions if invalid. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: The measure would result in annual savings in public employment and contracting costs, potentially in the tens of millions of dollars, and potential annual savings in state higher education programs of up to \$50 million. Funds (potentially in the tens of millions of dollars) currently spent on affected programs in the public schools and community colleges would most likely become available for other education programs. Savings could be more or less depending upon court decisions on legal issues in program areas covered by this measure.

ACADEMIC SENATE
of
THE CALIFORNIA STATE UNIVERSITY

AS-2274-95/Floor
(Barrena, Spear, Young, Dinielli)
March 9-10, 1995

**Support for the Principles that Guide Programs to Achieve Educational
Equity and Faculty Diversity in the California State University**

RESOLVED: That the Academic Senate of the California State University adopt the attached position paper titled, "Support for the Principles that Guide Programs to Achieve Educational Equity and Faculty Diversity in the California State University," and affirm the principles contained in the position paper as follows:

1. The CSU should encourage and provide access to an excellent education to all who are prepared for and wish to participate in collegiate education.
2. The CSU should actively seek to enroll a student body that is academically qualified and reflects the cultural, racial, ethnic, economic, geographic, and social diversity of the State.
3. The CSU should make particular efforts to provide access to education and the opportunity for educational success to those who have been and are currently underrepresented in higher education.
4. The CSU should seek to recruit and retain a faculty of the highest quality which increasingly reflects the ethnic and cultural diversity of the State.
5. Educational Equity Programs and Faculty Diversity Programs in the CSU should actively seek and support qualified students and faculty who might otherwise not have the opportunity to be a part of the CSU.
6. Educational Equity Programs and Faculty Diversity Programs in the CSU should attempt to redress problems of access and barriers to employment faced by persons from groups who have been and are currently underrepresented in higher education; and be it further

RESOLVED: That the Academic Senate CSU request that the Chancellor and the Board of Trustees affirm and endorse the position paper, and continue to implement the principles embodied in, "Support for the Principles that Guide Programs to Achieve Educational Equity and Faculty Diversity in the California State University"; and be it further

RESOLVED: That the Academic Senate CSU assist the Chancellor in identifying faculty whose testimony may lead to a better understanding of the purpose, nature, and value of Educational Equity Programs and Faculty Diversity Programs in the CSU.

APPROVED UNANIMOUSLY -- March 9-10, 1995