

(#12-94/95-FA)

**RESOLUTION TO SUPPORT THE AFFIRMATIVE ACTION COMMITTEE
RESOLUTION REGARDING PROPOSITION 187
(#12-94/95-FA)**

WHEREAS, The Academic Senate of Humboldt State University supports the principles enumerated in the resolution of the Affirmative Action Committee of Humboldt State University regarding Proposition 187; therefore, be it

RESOLVED: That the Academic Senate of Humboldt State University endorses the resolution of the Affirmative Action Committee of Humboldt State University regarding Proposition 187.

AFFIRMATIVE ACTION COMMITTEE

HUMBOLDT STATE UNIVERSITY

Resolution on Proposition 187
(Save Our State Initiative)

WHEREAS, on November 4, 1994, the people of the State of California approved Proposition 187 which denies educational, social, and non-emergency health services to illegal immigrants; and

WHEREAS, if implemented, this measure will disallow the admission, enrollment or attendance at HSU of proven illegal immigrants, and require the reporting by HSU personnel of all students whose presence in this State is suspected to be in violation of federal immigration laws; and

WHEREAS, in Plyler v. Doe, 457 U.S. 202 (1982), the Supreme Court of the United States ruled that illegal immigrants could not be denied enrollment in State schools under the Equal Protection Clause of the Fourteenth Amendment which provides that no State shall "deny to any person within its jurisdiction the equal protection of the laws," affirming thereby that illegal immigrants are "persons;" and

WHEREAS, the booklet entitled "Affirmative Action and Nondiscrimination at Humboldt State University" states that "Humboldt State University is guided by the precept that in no aspect of its programs or personnel actions shall there be any discrimination against persons because of race, color, religion, national origin..." [emphasis added]; and

WHEREAS, in no instance does the Affirmative Action Policy of Humboldt State University define "person" in terms of whether his/her presence in this state is legal or otherwise; and

WHEREAS, the mission and goals of Humboldt State University specifically include providing "an environment where learning is the highest priority" and offering a "community striving to value diversity, to be inclusive, and to respect alternative paradigms of behavior and value systems;" and

WHEREAS implementation of Proposition 187 appears to be in direct violation of federal law, and Affirmative Action and HSU policies as currently articulated and defined; and

WHEREAS, actions on the part of CSU institutions which conflict with Federal law could mean the withdrawal of all Federal funding, including Pell Grants (which support thousands of our students, minorities included), research monies and other significant funding; NOW, THEREFORE, BE IT

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RESOLVED that the Affirmative Action Committee supports the current federal laws which place no limiting definition on the term "person;" and be it further

RESOLVED that the Affirmative Action Committee affirms HSU policies which mandate our priority as learning, and creating a community which encourages diversity, inclusiveness and the cultivation of alternative paradigms of behavior and value systems; and be it further

RESOLVED that the Affirmative Action Committee does not endorse implementation of an initiative which threatens significant funding sources that affect the availability and quality of higher education; and be it further

RESOLVED that the Affirmative Action Committee opposes the imposition of any measure which may cast suspicion upon or require heightened scrutiny of any person or group of persons based on their possible or perceived national origin.

UNANIMOUSLY APPROVED BY THE AFFIRMATIVE ACTION COMMITTEE ON
DECEMBER 9, 1994