**SENATE RESOLUTION**

**[NUMBER** - *SR-F20-002***]**

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| **PRIMARY AUTHOR(S)** | Vincent Rasso (Vice President of External Affairs) and Andrea Terrones (Local Relations Director) |
| **SECONDARY AUTHOR(S)** | Deidre Reyes (UCR student and Prop 16 Regional Director), Juan Morales (CHASS Senator), Leo Ballesteros (BCOE Senator), Alyssa Marchan (CHASS Senator),  |
| **SPONSOR(S)** | Mufida Assaf (CHASS Senator) and Stephanie Zeng (GSOE Senator) |

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| **TITLE** | Resolution in support of repealing Proposition 209 and endorsing California Proposition 16 (Opportunity for All) for the 2020 elections |

**WHEREAS,** [California Proposition 16](https://ballotpedia.org/California_Proposition_16%2C_Repeal_Proposition_209_Affirmative_Action_Amendment_%282020%29) will appear on the November 2020 Ballot and if passed, would repeal Proposition 209, reinstating equal opportunity programs (Affirmative Action programs) in California’s public employment, education, and contracting decisions;

**WHEREAS,** Black, Indigenous, and people of color (BIPOC) communities are [disproportionately affected](https://www.americanprogress.org/issues/race/reports/2018/02/21/447051/systematic-inequality/) by poverty and violence due to the nation and California’s legacy of systemic racial oppression, and [higher education is deemed one of the pathways by which the inequality of opportunity and poverty can be reduced](https://files.eric.ed.gov/fulltext/EJ842412.pdf), thereby remediating the effects of racial discrimination that has historically marginalized BIPOC communities;

**WHEREAS,** BIPOC communities historically have had [less access to institutions of higher education](https://www.americanprogress.org/issues/education-postsecondary/reports/2018/05/23/451186/neglected-college-race-gap-racial-disparities-among-college-completers/) due to both racial discrimination and financial disparities, and to mitigate this gap in opportunity and education, the United States [mandated the use of Affirmative Action in the 1960s](https://www.aaaed.org/aaaed/History_of_Affirmative_Action.asp), defined as the act of ensuring **all applicants are treated equally** without regard to race, color, religion, sex, or national origin, which would **guarantee equal opportunity for all individuals**, including those victim to decades of systemic oppression and poverty;

**WHEREAS**, the use of affirmative action in California [rendered positive results](https://www.law.berkeley.edu/wp-content/uploads/2016/07/Proposition-209-and-Public-Employment-Workforce-Diversity.pdf) in both employment and educational institutions for BIPOC communities, and for [women of color owning small businesses](https://calmatters.org/commentary/my-turn/2020/10/prop-16-will-level-the-playing-field-for-women-and-communities-of-color/) in public contracting, however, California’s equal opportunity program (affirmative action) was short lived due to the [passage of Proposition 209, which banned the consideration of race or sex](https://ballotpedia.org/California_Proposition_209%2C_Affirmative_Action_Initiative_%281996%29) in public employment and university admission decisions, thereby terminating the equal opportunity program used by state contractors, employers, and UC admissions after it was [officially passed](https://ballotpedia.org/California_1996_ballot_propositions) on November 5, 1996 by a slim majority;

**WHEREAS,** scholarships available to BIPOC students [decreased](https://www.ucop.edu/institutional-research-academic-planning/_files/uc-affirmative-action.pdf) as a result of Proposition 209, paired with an [increase of higher income students](https://www.ucop.edu/institutional-research-academic-planning/_files/uc-affirmative-action.pdf) being admitted to the UC system due to Proposition 209, exacerbated the pre-existing wealth gap in the state of California, and between 1998 and 2000, [1,400 BIPOC students withdrew from the UC system](https://www.ucop.edu/institutional-research-academic-planning/_files/uc-affirmative-action.pdf);

**WHEREAS,** UCR cannot create mentorship programs for [women in STEM](https://lastandardnewspaper.com/index.php?option=com_content&view=article&id=911:prop-16-would-bring-back-affirmative-action-to-california&catid=81&Itemid=257), cannot target recruitment of high-achieving students of color to [pursue higher education](https://www.kpbs.org/news/2020/oct/01/prop-16-would-bring-affirmative-action-back-califo/) , or create scholarships for minority students;

**WHEREAS,** the ASUCR recognizes that students of Asian and Pacific Islander descent face unique forms of oppression and are not a monolith, consisting of East Asians, South Asians, Southeast Asians, Asian Americans, International API students, Pacific Islanders, etc.;

**WHEREAS,** [Proposition 209 has had a negative impact on Asian American and Pacific Islander (AAPI) communities](http://care.gseis.ucla.edu/wp-content/uploads/2015/08/care-brief-raceblind.pdf), with AAPI businesses facing increases discrimination and loss of public contracting dollars, and declined admissions for AAPI students to the University of California system since 1996;

**WHEREAS,** using the Holistic Review Process, the UC admissions system [already considers everything about a potential application](https://www.civilrightsproject.ucla.edu/research/college-access/affirmative-action/two-decades-after-the-affirmative-action-ban-evaluating-the-university-of-california2019s-race-neutral-efforts/Kidder_PIC_paper.pdf) - finances, community demographics, high school rigor, etc. - except for race, and this review process [includes special circumstances](https://www.ucdavis.edu/admissions/undergraduate/apply/application-review-criteria) that includes but is not limited to: disabilities, low family incomes, first generation to attend college, need to work, disadvantaged social or educational environment, difficult personal and family situations or circumstances, refugee status or veteran status, etc., and including race as one of many considerations in the Holistic Review process is critical to fully assess the complete, lived experience of the applicant;

**WHEREAS,** racial quotas have been banned since the 1978 Supreme Court case, [Regents of the University of California v. Bakke](https://www.thirteen.org/wnet/supremecourt/rights/print/landmark_regents.html), thus affirmative action no longer utilizes the use of racial quotas, and according to the United States Supreme Court, universities have an [obligation to obtain a critical mass](https://verdict.justia.com/2012/10/17/the-recent-supreme-court-affirmative-action-oral-argument-zeroes-in-on-the-concept-of-critical-mass), which is the inclusion of a sufficient number of minority students so that no student is underrepresented;

**WHEREAS,** the University of California, as a system of public institutions funded by taxpayer dollars, has an obligation to create equitable access to higher education opportunities for all Californians, in an effort to reflect the racial diversity of the state;

**WHEREAS,** affirmative action policies already exist in [prestigious private universities](https://www.nbcnews.com/news/asian-america/harvard-students-color-removing-affirmative-action-would-be-loss-everyone-n1216901) that rank in the top ten worldwide because affirmative action ensures historically underrepresented students have an equal chance to compete in a competitive workforce;

**WHEREAS,** California is [only one of nine states](https://www.pewresearch.org/fact-tank/2014/04/22/supreme-court-says-states-can-ban-affirmative-action-8-already-have/) that outlaws policies to promote equal opportunities across the United States, and states with affirmative action policies sees greater gains for women and students, businesses, and people of color;

**WHEREAS**, the ban on affirmative action has harmed Black and Hispanic students, decreasing their number in the University of California system were only thirteen percent of Latinos and twenty percent of Black students graduate, which reducing their odds of finishing college, going to graduate school, and earning a high salary, therefore hindering their ability to [eliminate or have a modest impact on the racial wealth gap](https://www.demos.org/sites/default/files/publications/RacialWealthGap_1.pdf);

**WHEREAS,** people of color, including Asian American students, have [demonstrated an increase in admissions under affirmative action programs](https://documentcloud.adobe.com/link/track?uri=urn:aaid:scds:US:d63adea5-2faa-4619-aab2-2f39e301314b#pageNum=1), and benefit from public contracting and hiring, and affirmative action serves underrepresented groups, therefore [benefiting women in STEM and the retention of Black students in higher education](https://alltogether.swe.org/2017/03/equal-opportunity-affirmative-action-support-persistence-women-stem-2/);

**WHEREAS,** Proposition 16 has received [widespread support](https://ballotpedia.org/California_Proposition_16%2C_Repeal_Proposition_209_Affirmative_Action_Amendment_%282020%29) from the Asian Pacific Legislative Caucus, the Founders of the Black Lives Matter Movement Alicia Garza and Patrisse Cullors, Civil Rights Leader Dolores Huerta, The Campaign for College Opportunity, Planned Parenthood, and prominent politicians such as Senator Kamala Harris, Governor Gavin Newsom, Lieutenant Governor Eleni Kounalakis, Representative Maxine Waters, and our very own University of California former President Janet Napolitano along with unanimous support from the UC Student Association Board of Directors and the UC Board of Regents;

**WHEREAS,** the office of ASUCR External Affairs has been working systemwide with UCSA to repeal Proposition 209 since it was elected as a campaign priority at the 2019 UC Student Organizing Summit, and has [organized initiatives with campus and external partners](https://www.instagram.com/p/B8440k2gSY2/?utm_source=ig_web_copy_link) like the Black Student Union and the Afrikan Black Coalition to advocate for the [repeal of Proposition 209](https://equaljusticesociety.org/2020/03/11/aca-5-introduced-to-repeal-proposition-209/), the [passage of ACA 5](https://www.dailycal.org/2020/06/28/it-is-never-wrong-to-give-people-fair-opportunity-californians-to-vote-on-aca-5/), and now the push to support Proposition 16 passed the finish line;

**WHEREAS**, the UC Riverside Prop 16 Student Fellows have been working with the office of ASUCR External Affairs and UCSA, the Student Senate for California Community Colleges (SSCCC) and Riverside Community College (RCC), and local nonprofit organizations to educate the public on Proposition 16 and build support in the Inland Empire to pass Proposition 16;

**WHEREAS,** COVID-19 has absolutely exacerbated and overwhelmed the inequitable failings of our current systems, as we have witnessed 45% of Black workers [lose their jobs or had their hours cut or reduced](https://www.npr.org/2020/04/22/840276956/minorities-often-work-these-jobs-they-were-among-first-to-go-in-coronavirus-layo), compared to 31% for white workers, and 55% of the jobs lost belong to women;

**WHEREAS,** the ASUCR recognizes the unprecedented times we face and the disproportionate impacts that a global pandemic, national civil rights movement, and economic insecurity have had on our student body, and holds it to be true that we must empower the diverse communities on our campus and within our community through support for measures like Proposition 16 in order to foster opportunity for all while fighting for an equitable recovery from these overwhelming hardships.

Now, therefore, be it

**RESOLVED,** that the Associated Students of UC Riverside -

1. Unequivocally supports the repeal of the 1996 California Proposition 209 and passage of California Proposition 16’s Opportunity for All measure on the November 2020 Ballot.
2. *Let It Be Further Resolved* that the Associated Students of UC Riverside acknowledges that Proposition 209 had very lasting negative consequences for the campus support and UC admission of BIPOC communities, meanwhile, Proposition 16 comes from the backs and labor of Black community leaders and organizers across the state.
3. *Let It Be Further Resolved* that the ASUCR as a whole, and the Office of ASUCR External Affairs, is charged with engaging in and hosting civic engagement events on campus and systemwide supporting the passage of Proposition 16 and following the direction of the Opportunity for All Coalition and the UC Riverside Proposition 16 Steering Committee; and,
4. *Let It Be Further Resolved* that the ASUCR President will send a statement to Chancellor of the University, Kim A. Wilcox, emphasizing the ASUCR’s support for fostering and empowering diversity at UC Riverside through support for Proposition 16, and calls upon the University to uphold their responsibility in addressing the needs and providing resources for Black students and other marginalized groups negatively affected by Proposition 209 - such as the Latinx and Indigenous community - and support and uplift the work already being done by these students;
5. *Let It Be Finally Resolved* that the move to ASUCR actively promote and share event and educational materials from the ASUCR External and Prop 16 Opportunity for All Coalition social media and other channels leading up to the November 3rd election to emphasize the importance of passing Proposition 16 while dispelling myths about Affirmative Action policies.

Cc: Luis Huerta, President

 Ian Chew, Marketing and Promotions Director

 Roman Gomez, Campus Organizing Director and Co-Chair for the UCR Prop 16 Steering Committee

 Kim Wilcox, Chancellor

 Dr. Brian Haynes, Vice Chancellor of Student Affairs

 Mariam Lam, Vice Chancellor and Chief Diversity Officer

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*Executive Vice President*

*Natalie Hernandez*

**SUBMITTED ON -** *October 14th, 2020*

**COMMITTEE APPROVED ON -** *October 16, 2020*

**VOTE COUNT -** *7-0-0*

**SENATE APPROVED ON -** *Fill in by Senate Secretary*

**VOTE COUNT -** *Fill in by Senate Secretary*