

**ACADEMIC SENATE  
OF  
THE CALIFORNIA STATE UNIVERSITY**

AS-2883-09/FA (Rev)  
January 22-23, 2009

**Affirmation of Equal Rights for All Individuals Regardless of Race, Ethnicity,  
Gender, Sexual Orientation, Disability, or Other Dimensions of Diversity**

- RESOLVED: That the Academic Senate of the California State University (CSU) vigorously affirm its resolute support of equal rights for all individuals regardless of race, ethnicity, gender, sexual orientation, disability, or other dimensions of diversity; and be it further
- RESOLVED: That the Academic Senate of the CSU recognize the value and importance of maintaining a diverse faculty, staff, administration, and student body; and be it further
- RESOLVED: That the Academic Senate of the CSU endorse the firmly grounded May 2008 California Supreme Court decision *re Marriage Cases* (overturning a 2000 California ballot measure, Proposition 22), including the Court's ruling that everyone has a basic right "to establish a legally recognized family with the person of one's choice;" and be it further
- RESOLVED: That the Academic Senate of the CSU support the California Supreme Court's 2008 ruling that the equal protection clause of the California State Constitution prohibits governmental discrimination on the basis of sexual orientation; and be it further
- RESOLVED: That the Academic Senate of the CSU affirm its strong support for the rights of all CSU faculty, staff, administrators, and students who have been adversely impacted by California Proposition 8 (2008) – which eliminates the rights of same-sex couples to marry in California – and abhor the adverse ramifications it is likely to have on the recruitment and retention of outstanding students, faculty, administrators, and staff; and be it further
- RESOLVED: That the Academic Senate of the CSU join the California Teachers Association and others in condemning this violation of the civil rights of gays and lesbians and recognizes the unfortunate message to current and potential faculty, staff, administrators and students at a time when the CSU has recommitted itself to embrace diversity as articulated in one of the key objectives of Access to Excellence [the CSU strategic plan]; and be it further
- RESOLVED: That the Academic Senate of the CSU send copies of this resolution to the California Supreme Court, California State Legislature, CSU Board of Trustees, Chancellor, campus Presidents and Provosts, campus senate Chairs, California State Student Association, California Teachers Association, and the California Faculty Association.

*RATIONALE: In 2000, California voters passed a ballot initiative, Proposition 22, which amended California state law to bar same-sex marriages. In May 2008, the California Supreme Court struck down Proposition 22, drawing on a ruling*

*60 years ago which likewise struck down a state ban on interracial marriages. In its ruling, Chief Justice George wrote, "In view of the substance and significance of the fundamental constitutional right to form a family relationship, the California Constitution properly must be interpreted to guarantee the basic civil right to all Californians, whether gay or heterosexual, and to same-sex couples as to opposite-sex couples."*

*Proposition 8, which amends the California State Constitution to eliminate this right to marry for same-sex couples, has been viewed as unprecedented by some legal scholars: previously ensured constitutional rights of a targeted group of people have been revoked through the amendment process. While legal battles over this amendment process continue, the significance cannot go unacknowledged: allowing the Proposition to stand would not only greatly limit the Court's ability to uphold the basic rights of all Californians, but it also would set a precedent that the rights of any minority can be quashed by a simple majority.*

**Approved – March 19-20, 2009**