

**RESOLUTION IN SUPPORT OF AFFIRMATIVE ACTION AND THE 2020
BALLOT PROPOSITION TO REPEAL PROPOSITION 209**

WHEREAS, students at the University of California (UC) have fought for affirmative action policies in order to expand the access and retention of students of color for decades, and this Council stands on the shoulders of countless UC and UCLA activists and advocates who came before us;

WHEREAS, affirmative action programs are defined by the U.S. Commission on Civil Rights as measures “that permit the consideration of race, national origin, sex or disability, along with other criteria, and which is adopted to provide opportunities to a class of qualified individuals who have either been historically or actually been denied those opportunities and/or to prevent the recurrence of discrimination in the future”¹ in order to promote equitable opportunity;

WHEREAS, the origins of affirmative action policies were driven by Black civil rights leaders of the 1960s and codified in executive orders² by Presidents John F. Kennedy and Lyndon B. Johnson aimed at expanding civil rights and countering centuries of structural racism in the United States;

WHEREAS, the UC adopted affirmative action practices in the 1960s in order to increase diversity among its student body, with UC’s ability to use affirmative action policies affirmed in the landmark 1978 Supreme Court case *Regents of the University of California v. Bakke*;³

WHEREAS, the High Potential Program was one of the early instances of a student-run, student-initiated recruitment program that brought community organizers from the Los Angeles area and granted them direct access to the university, until ultimately being shut down and taken over by UCLA administration;

¹ <https://www.aclu.org/other/what-affirmative-action>

² https://ballotpedia.org/Affirmative_action_in_California

³ <https://www.theatlantic.com/education/archive/2018/10/how-lewis-powell-changed-affirmative-action/572938/>

WHEREAS, the High Potential Program ended in 1971 due largely to the violent death of two of the program’s students, Bunchy Carter and John Huggins, and The program was split by the administration into two components: Early Academic Outreach Program (EAOP) and the Academic Advancement Program (AAP);

WHEREAS, the Third World Coalition, comprising of the Black Student Association, the American Indian Student Association, the Asian Coalition, the Jewish Student Union, and United Mexican American Students, was the first iteration of progressive student of color organizations coming together, forming the basis for what would grow to be the Affirmative Action Coalition in the 1990s and the Mother Organizations Coalition of today;

WHEREAS, affirmative action policies at UCLA increased the racial diversity of the UCLA freshman classes between the years 1979 and 1994 (Table 1);

| Table 1: Incoming Freshman Class Profile at UCLA | | |
|---|-------------|-------------|
| Identity Group | 1979 | 1994 |
| Latinx | 6% | 18% |
| Asian American | 21% | 44% |
| African American | 5% | 7% |
| White | 67% | 29% |

Source: Steven Halpern, *A View from Kerckhoff: A History of Student Life at UCLA* (734)

WHEREAS, opposition to UC affirmative action policies only rose to state and national prominence in 1994, when UC Regent Ward Connerly, often cited as the “father of Proposition 209,” called for the ending of UC affirmative action policies;⁴

⁴ Steven Halpern, *A View from Kerckhoff: A History of Student Life at UCLA* (734)

WHEREAS, UCLA students protested Regent Connerly’s attacks on affirmative action at a UCLA-hosted Board of Regents meeting with a march on UCLA’s “Historic Sites of Activism,” where fifty UCLA students marched along the following path:⁵

1. Murphy Hall: Commemorating the Asian Radical Movement’s two-day protest in front of Murphy Hall in 1969;
2. Schoenberg Quad: Site of the UCLA South African Apartheid Protests;
3. Campbell Hall: Site of the killing of two Black student leaders and activists Bunchy Carter and John Huggins in 1969;
4. Janss Steps: Site of the UCLA Protest against the Vietnam War and Martin Luther King, Jr.’s 1965 speech at UCLA;
5. James West Alumni Center: Site of the Board of Regents meeting;

WHEREAS, the UCLA Afrikan Student Union hosted a debate and town hall⁶ between Black student leaders and Regent Connerly that energized hundreds of students to testify against the ending of affirmative action programs at UC;

WHEREAS, student pressure against the administration led to UC President Jack Peltason, the UC Academic Senate, and all UC Chancellors including UCLA Chancellor Charles E. Young to firmly oppose ending affirmative action at the UC;⁷

WHEREAS, UCLA Chancellor Charles E. Young came to the UCLA Undergraduate Students Association Council meeting to seek student-administration solidarity against attacks on affirmative action, declaring “I’m very concerned about a much more central attack on the whole concept of affirmative action. We’ve got to really work to make people understand why affirmative action is not merely important but absolutely essential”⁸ to Council;

WHEREAS, the UC Board of Regents, led by Regent Connerly and Governor Pete Wilson, introduced two motions SP-1⁹ and SP-2¹⁰ to be voted on at their July 1995

⁵ Steven Halpern, *A View from Kerckhoff: A History of Student Life at UCLA* (736)

⁶ Steven Halpern, *A View from Kerckhoff: A History of Student Life at UCLA* (737)

⁷ <https://www.latimes.com/archives/la-xpm-1995-07-21-mn-26379-story.html>

⁸ Steven Halpern, *A View from Kerckhoff: A History of Student Life at UCLA* (737)

⁹ <https://regents.universityofcalifornia.edu/governance/policies/4401.html>

¹⁰ <https://regents.universityofcalifornia.edu/governance/policies/4401.html>

meeting to eliminate affirmative action programs for race and gender in admissions as well as hiring and contracts, respectively;

WHEREAS, former UCLA USAC External Vice President and now President York Chang mobilized a delegation of students to the July Regents meeting in San Francisco, joining with thousands of students, faculty, and community members and the Rev. Jesse Jackson to protest these motions;¹¹

WHEREAS, the UC Board of Regents went against overwhelming opposition from students, faculty, and Californians to eliminate affirmative action practices at UC along a 14-10 vote¹² on motions SP-1 and SP-2;

WHEREAS, USAC launches with the UC Student Association “12 Days of Action,”¹³ a statewide campaign of student advocacy organizations, union organizing groups, and USAC offices to sponsor cultural events and forums on affirmative action;

WHEREAS, “12 Days of Action” culminated in an October 12 rally of 2,200 students in Bruin Plaza, a march along Westwood Boulevard to Wilshire Boulevard, and the occupation of Wilshire Boulevard by thirty-three students that was broken by LAPD, who arrested thirty-one students including USAC President York Chang and USAC External Vice President John Du;¹⁴

WHEREAS, Regent Connerly and Governor Wilson qualify the Proposition 209: The California Civil Rights Initiative on the November 1996 California ballot as a way to apply UC’s ban on affirmative action to all California public universities, colleges, and institutions;

WHEREAS, USAC purchased a full-page ad in *The Daily Bruin* calling for a protest and march in response, where 600 students occupied five floors of Bunche Hall and then marched to Murphy Hall to demand Chancellor Young: (1) continue outreach programs, (2) protect scholarships for marginalized communities, (3) support the student campaign

¹¹ Steven Halpern, *A View from Kerckhoff: A History of Student Life at UCLA* (765)

¹² <https://www.latimes.com/archives/la-xpm-1995-07-21-mn-26379-story.html>

¹³ Steven Halpern, *A View from Kerckhoff: A History of Student Life at UCLA* (756)

¹⁴ Steven Halpern, *A View from Kerckhoff: A History of Student Life at UCLA* (757)

against Proposition 209, and (4) refuse to implement Regental policies banning affirmative action;¹⁵

WHEREAS, Chancellor Young declares “Proposition 209 would have a devastating effect on the university as well as the state and could radically reduce the extraordinary diversity that we have managed to achieve within the University of California system,”¹⁶ though is unable to stop the elimination of affirmative action at UCLA, being pressured into an early retirement by Regents;

WHEREAS, Angela Davis returns to UCLA to speak to 300 students at an anti-Proposition 209 rally, where 700 students march again from Westwood Plaza to Wilshire Boulevard in opposition to the measure;¹⁷

WHEREAS, despite overwhelming student opposition, Proposition 209 is approved by 55% of California voters on November 5, 1996;¹⁸

WHEREAS, Proposition 209 ended affirmative action in all California public admissions, hiring, and contracting decisions by enacting a “color-blind” policy of prohibiting the state of California from “discriminating against or granting preferential treatment on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, and public contracting.”¹⁹

WHEREAS, the passage of Proposition 209 necessitated the formation of the Affirmative Action Coalition,²⁰ made up originally of the Afrikan Student Union at UCLA, the Movimiento Estudiantil Chicano/a de Aztlán de UCLA (MEChA), the Asian Pacific Coalition at UCLA, Samahang Pilipino, and the American Indian Students Association (AISA), and USAC.

WHEREAS, the Affirmative Action Coalition united with the goal of repealing Proposition 209, holding a series of protests against the implementation of Proposition 209,

¹⁵ Steven Halpern, *A View from Kerckhoff: A History of Student Life at UCLA* (758)

¹⁶ Steven Halpern, *A View from Kerckhoff: A History of Student Life at UCLA* (759)

¹⁷ Steven Halpern, *A View from Kerckhoff: A History of Student Life at UCLA* (786)

¹⁸ [https://ballotpedia.org/California_Proposition_209,_Affirmative_Action_Initiative_\(1996\)](https://ballotpedia.org/California_Proposition_209,_Affirmative_Action_Initiative_(1996))

¹⁹ [https://ballotpedia.org/California_Proposition_209,_Affirmative_Action_Initiative_\(1996\)](https://ballotpedia.org/California_Proposition_209,_Affirmative_Action_Initiative_(1996))

²⁰ Steven Halpern, *A View from Kerckhoff: A History of Student Life at UCLA* (808)

culminating in the “Days of Defiance”²¹ campaign and a occupation of Royce Hall that led to the arrest of 88 student protesters;

WHEREAS, in the immediate aftermath of Proposition 209’s passage, freshman Black student enrollment at UCLA dropped 42%, freshman Latinx enrollment dropped by 33%, and freshman Native American enrollment dropped by 62%, compared to prior year enrollment number²² with additional significant decreases in transfer diversity;

WHEREAS In 1998, the Academic Advancement Program (AAP) and the UCLA Alumni Association, in response to declining enrollment among marginalized students, expanded their outreach efforts to underrepresented minorities that were admitted to UCLA to address the drastic damage done to diversity at our institution;²³

WHEREAS, the student-initiated and student-run recruitment and retention projects of Mother Organizations evolved in response to the co-optation of these original 1998 outreach programs by the UCLA administration, and have since then worked to address the low access, retention, and graduate rates of historically marginalized groups at UCLA;²⁴

WHEREAS, following the passage of the CARE Referendum in Spring 1999, the Student Initiated Outreach Committee was created by the Mother Organizations in order to address the falling admission rates of historically underrepresented and marginalized communities at UCLA, which was a direct result of the passing of Proposition 209. The CARE Referendum additionally supported the maintenance of the Campus Retention Committee under the Student Retention Center, which was created in 1992 following Samhang Pilipino, Afrikan Student Union, MEChA de UCLA, and AISA’s withdrawal from AAP;

WHEREAS, the demographics of graduates from California high schools is no longer representative of new freshman enrollment at UC (Graph 1) since the passage of Proposition 209, leading to significant under-enrollment of Black, Latinx, and Native American students;

²¹ Steven Halpern, *A View from Kerckhoff: A History of Student Life at UCLA* (808)

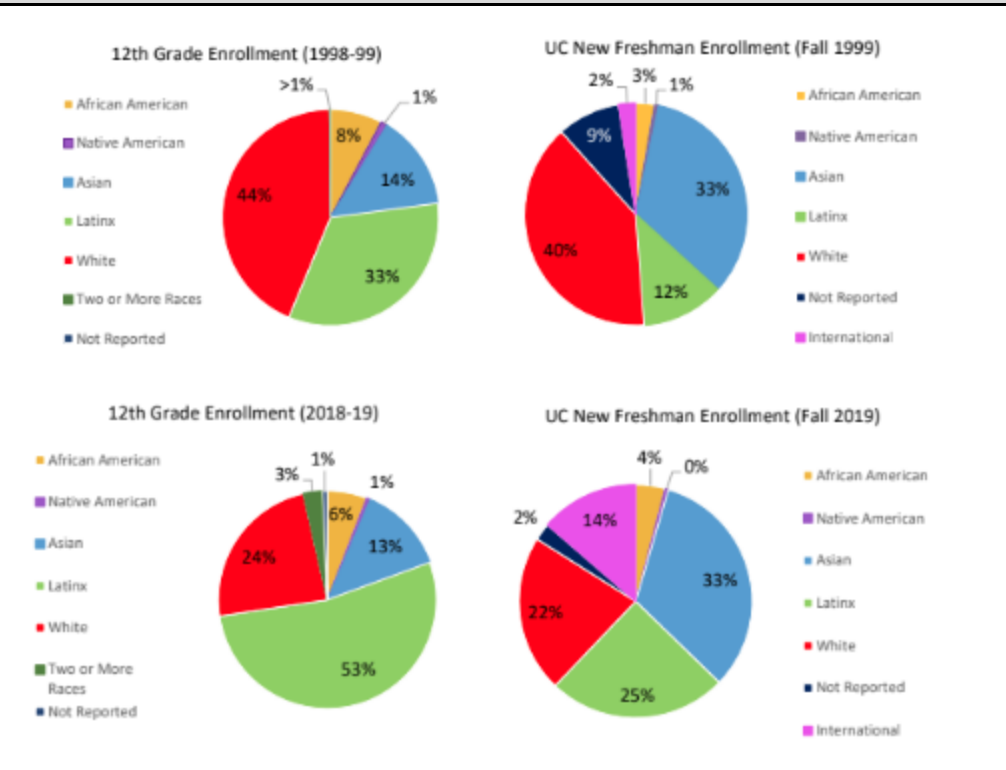
²² <https://dailybruin.com/1998/06/28/proposition-209-damages-divers>

²³ <https://dailybruin.com/1998/06/28/proposition-209-damages-divers>

²⁴

[http://www.cpo.ucla.edu/src/#:~:text=There%20are%20six%20\(6\)%20projects,over%20a%20thousand%20UCLA%20students.&text=The%20Campus%20Retention%20Committee%20administers,over%20a%20thousand%20UCLA%20students.](http://www.cpo.ucla.edu/src/#:~:text=There%20are%20six%20(6)%20projects,over%20a%20thousand%20UCLA%20students.&text=The%20Campus%20Retention%20Committee%20administers,over%20a%20thousand%20UCLA%20students.)

Graph 1: High School Graduation Demographics vs. UC New Freshman Enrollment Since Prop. 209's Passage



Source: California Department of Education (2020). Retrieved from <https://data1.cde.gov/dataquest/>. University of California (2020). Data retrieved from <https://www.universityofcalifornia.edu/infocenter/fall-enrollment-glance>

WHEREAS, despite decades of labor by students of color at UCLA, the continued ban on race-conscious admissions at UC as a result of Proposition 209 has led to a dramatic decrease in the racial diversity of the student body at UCLA — with enrollment of Black students at 3%, Native American students at less than 1%, Asian students at 28%, Latinx students at 22%, Pacific Islander students at less than 1%, White students at 27%, and mixed students at 6%;²⁵

WHEREAS, in 2006 the Asian Pacific Coalition at UCLA launched the statewide *Count Me In* campaign with student, faculty, and staff organizers at UC Berkeley, UC Irvine, UC San Diego, and the UC Student Association, which yielded changes in how UC disaggregates data about the Asian Pacific Islander Desi American (APIDA) community, leading to 2010 insights on the continual under-enrollment of communities relative to the

²⁵ <http://www.admission.ucla.edu/campusprofile.htm>

APIDA mean enrollment:²⁶ Hmong (-13.1%), Bangladeshi (-10.4%), Filipino (-10.0%), Thai (-9.4%), Cambodian (-9.2%), Indonesian (-8.4%), Pakistani (-7.4%), Vietnamese (-3.5%), Sri Lankan (-1.5%), and Korean (-1.1%);

WHEREAS, throughout the UC, freshman Black and Latinx students admitted have decreased by between 12% and 60% depending on campus, with these statistics being larger when including data on transfer admission;²⁷

WHEREAS, California is one of only 8 states in the nation that outlaws affirmative action policies that promote equal opportunity for all;

WHEREAS, business owned by women and people of colors lose over \$1.1 billion annually in government contracts as a result of Proposition 209;²⁸

WHEREAS, a coalition of civil rights, racial justice, labor, education equity, and student groups mobilized in 2014 around Senate Constitutional Amendment 5 (SCA 5) — which would have qualified a ballot measure to repeal Proposition 209 if not for its legislative failure — garnered the support of students at UCLA;

WHEREAS, the UCLA Afrikan Student Union, MEChA, and Samahang Pilipino hosted a protest in support of SCA 5 and USAC External Vice Presidents Conrad Contreras and Maryssa Hall lobbied for its passage locally and in Sacramento;²⁹

WHEREAS, Chancellor Gene Block sent out a campus-wide communique³⁰ expressing his solidarity with student organizers behind Proposition 209 repeal, the need for UCLA to do better in addressing the adverse impacts of Proposition 209 on students, and calling for the creation of a Diversity General Education Requirement;

WHEREAS, five years later, over 300 student leaders from throughout the UC at the UC Student Organizing Summit voted in August 2019 to set the UC Student Association's Racial Justice Now top-line priority to be the repeal of Proposition 209 and directed the

²⁶ http://care.gseis.ucla.edu/wp-content/uploads/2015/08/2013_iCount_Report.pdf

²⁷ <https://documentcloud.adobe.com/link/track?uri=urn:aaid:scds:US:52ee8082-35eb-41ee-8650-f6a63a9d206c#pageNum=1>

²⁸ <https://documentcloud.adobe.com/link/track?uri=urn:aaid:scds:US:52ee8082-35eb-41ee-8650-f6a63a9d206c#pageNum=1>

²⁹ <https://equaljusticesociety.files.wordpress.com/2019/10/ejs-impact-prop-209-mwbes.pdf>

³⁰ <https://chancellor.ucla.edu/messages/the-impact-of-proposition-209-and-our-duty-to-our-students/>

organization to join in solidarity with statewide efforts to qualify a Proposition 209 measure for the November 2020 ballot;

WHEREAS, Black student leaders at UC Berkeley committed to the repeal of Proposition 209, led by Dominick Williams, Kyndall Dowell, Maureen Simmons, Omotara Oloye, Nicole Anyanwu, Ahmad Mahmud, and others, mobilized with UC Berkeley’s External Affairs Vice President Varsha Sarveshwar to host an Assembly Select Committee on Campus Climate³¹ that proved decisive in moving Assemblywoman Dr. Shirley Weber to author a Proposition 209 repeal bill, Assembly Constitutional Amendment 5 (ACA 5);

WHEREAS, ACA 5 was sponsored by the Opportunity for All Coalition,³² a statewide coalition of groups led by the Equal Justice Society, Chinese Americans for Affirmative Action, UC Student Association, Raza Roundtable de California, Redwood Resources, the Education Trust-West, AFSCME Local 3299, PICO California, and the Silicon Valley Minority Business Consortium;

WHEREAS, dozens of students, faculty, staff, alumni, and community members pushed the UC Board of Regents to unanimously endorse ACA 5 and the repeal of Proposition 209 on June 15, 2020;³³

WHEREAS, the passage of ACA 5 by a supermajority of the California Assembly and Senate has qualified the first Proposition 209 repeal proposition onto the California ballot since 1996, and a new generation of California voters will have the ability to weigh in on the reinstatement of affirmative action in the state on November 3, 2020;

THEREFORE LET IT BE RESOLVED, that the UCLA Undergraduate Students Association, joined by the endorsing organizations of the UCLA Afrikan Student Union, American Indian Student Association at UCLA, Asian Pacific Coalition at UCLA, Pacific Islands’ Student Association at UCLA, Queer Alliance at UCLA, Samahang Pilipino at UCLA, and Vietnamese Student Union at UCLA, endorses ACA 5 and the Proposition 209 repeal proposition that has qualified for the November 3, 2020 ballot;

³¹ <https://news.berkeley.edu/2019/11/06/california-officials-students-rate-inclusiveness-on-college-campuses/>

³² <https://opportunity4all.org/steeringcommittee/>

³³ <https://www.latimes.com/california/story/2020-06-15/uc-regents-to-consider-backing-affirmative-action>

LET IT FURTHER BE RESOLVED, that the UCLA Undergraduate Students Association encourages California voters to vote in support of Proposition 209 repeal in November's election;

LET IT BE FURTHER RESOLVED, that the UCLA Undergraduate Students Association acknowledges that "color-blind" policies only serve to blind institutions from the real impacts of systemic racism on communities of color, and that Proposition 209's ban on affirmative action at UC has resulted in institutional blindness to race and sex;

LET IT FURTHER BE RESOLVED, That the UCLA Undergraduate Students Association sees affirmative action as a vital mechanism of inclusivity, diversity, and socioeconomic mobility at California's public institutions;

LET IT FURTHER BE RESOLVED, That the UCLA Undergraduate Students Association honors the work of recruitment and retention projects by the Mother Organizations at UCLA, the Opportunity for All Coalition, and the countless other campus and community organizers who have fought for the repeal of Proposition 209;

LET IT FURTHER BE RESOLVED, That the UCLA Undergraduate Students Association calls on Chancellor Gene Block and all members of the UCLA administration to voice their public support for November's Proposition 209 repeal ballot proposition to implement a culture of solidarity in support of affirmative action on our campus.

LET IT FINALLY BE RESOLVED, That the UCLA Undergraduate Students Association encourages all members of the UCLA community to support the passage of the November 2020 Proposition 209 repeal measure as a means to reinstate equitable opportunity for all students, especially those from our state's most vulnerable marginalized communities, at California's public institutions of higher education.