

Prop. 16 to reinstate affirmative action in state universities, employment if passed

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Body

This November, California residents will vote on Proposition 16, a proposition that would overturn the earlier Prop. 209, which outlawed the use of race- and sex-based affirmative action in public institutions, including state employment and public universities.

In 1996, California voters passed Prop. 209, making California the first state in the country to have a constitutional ban on affirmative action. The campaign for Prop. 209 was led by Ward Connerly, a former member of the UC Board of Regents.

In 2020, Assemblymember Shirley Weber introduced Prop. 16 which, if passed, would repeal Prop. 209 and permit the government to consider race, sex, color, ethnicity and national origin in decision-making to address diversity.

The proposition is supported by groups such as the California Teachers Association, American Civil Liberties Union of California, Anti-Defamation League and UC Board of Regents. Politicians such as California Gov. Gavin Newsom and Sens. Dianne Feinstein and Kamala Harris have also expressed their support for the proposition.

Supporters of Prop. 16 argue that women and people of color in California continue to face discrimination in employment, hiring and education.

According to the Yes on 16 website, Latinx students make up more than half of California's public school students but only a quarter of UC undergraduates, and women in California make 80 cents for each dollar a white man makes. If passed, Prop. 16 would provide a path to fair treatment and serve as a tool to dismantle racism and sexism, the website states.

"We cannot continue to ignore systemic racism or let opponents of equal opportunity divide us," states a press release from the Yes on 16 campaign. "The fight for racial and gender equality is on the ballot in November. By passing Proposition 16 to reinstate equal opportunity programs like affirmative action, we can knock down barriers to opportunity and permit all of our communities to thrive."

The press release also cites a recent campus study that found that the passage of Prop. 209 deterred underrepresented minorities from applying to the UC system, and they went on to receive lower wages than they did before the ban on affirmative action.

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Those in opposition to Prop. 16 include Connerly, Sens. Ling Ling Chang and Melissa Melendez and organizations such as the American Civil Rights Institute and American Freedom Alliance.

Opponents of Prop. 16, led by No on 16, or Californians for Equal Rights, argue that Prop. 16 would allow for discrimination by granting preferential treatment on the basis of sex and color. According to the campaign's website, enrollment and graduation rates for underrepresented minorities in the UC system have been higher in recent years than they were before the passage of Prop. 209.

The status of affirmative action in the state's public institutions will be determined by voters on Election Day, or Nov. 3.

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