RESOLUTION TO EXPAND THE UNIVERSITY NON-DISCRIMINATION POLICY

WHEREAS, the Non-Discrimination Policy within the University of Michigan Standard Practice Guide exists to protect the diverse range of individuals employed by and attending the University from discrimination, harassment, and violence; AND

WHEREAS, the Non-Discrimination Policy states that the University “will not discriminate against any individual because of race, color, national origin, age, marital status, sex, sexual orientation, gender identity, gender expression, disability, religion, height, weight, or veteran status”; AND

WHEREAS, “gender identity” is interpreted to refer to the self-identity of the individual; “gender expression” is interpreted to refer to the actions of an individual to realize their gender identity; AND

WHEREAS, the American Psychological Association defines sexual orientation to be an enduring pattern of emotional, romantic, and/or sexual attractions to men, women, or both sexes; AND

WHEREAS, sexual orientation refers to the nature of the person or persons that an individual is emotional, romantic, and/or sexual attractions; AND

WHEREAS, University protects the subject and the object of emotional, romantic, and/or sexual attractions through its Non-Discrimination Policy; AND

WHEREAS, the Non-Discrimination Policy does not protect the actions between the subject and object that are the primary means to sexual and physical fulfillments; AND

WHEREAS, “sexual expression” would thus refer to the actions of an individual to realize their sexual identity; AND

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1 Michigan Standard Practice Guide (sect. 201.35)
2 Jackie Simpson, Head of the Spectrum Center, adapted from personal communication on Feb 13th, 2012.
3 Dr. Charlie Glickman, Adult Sex Educator in San Francisco, adapted from personal communication March 31st, 2012.
WHEREAS, “relationship status” includes but is not limited to “marital status” which is defined as “never married, married, widowed and not remarried, divorced and not remarried, married but legally separated, de facto union”\(^5\); AND

WHEREAS, “marital status” does not protect a diverse range of emotional, romantic, and/or sexual relationships that can occur outside of, and coexistent with, the institution of marriage; AND

WHEREAS, it is known that individuals can and have been discriminated against for their methods of sexual expression and non-marital relationship status\(^6\); AND

WHEREAS, without explicit protection from discrimination, there may be the threat of implicitly sanctioned discrimination; violence and related hate crimes can accompany the lack of explicit protection\(^7\)

NOW ON BEHALF OF THE STUDENT BODY OF THE HORACE H. RACKHAM GRADUATE SCHOOL, BE IT

RESOLVED, that the section 201.35 of the Standard Practice Guide of the University of Michigan be amended as follows (without emphasis):

“The University, in its employment and human resource policy and practices, will not discriminate against any individual because of race, color, national origin, age, marital status, relationship status, sex, sexual orientation, gender identity, gender expression, disability, religion, height, weight, or veteran status, except as allowed by the need for bona fide occupational qualification. Reasonable accommodation will also be provided to persons with disabilities, to disabled veterans, and to accommodate religious practices;” AND BE IT FURTHER

RESOLVED, that no proposed changes contained in this resolution to section 201.35 of the University’s Non-Discrimination Policy should be construed to violate or supersede local state or federal law; AND BE IT FINALLY

RESOLVED, that the President of the graduate student body is empowered and directed to work with the Administration of the University of Michigan to put into place policies that reflect the will and intent of this resolution.

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\(^6\) National Coalition for Sexual Freedom, Incident Response Report records

\(^7\) Rebecca Stotzer, PhD. Comparison of hate crime rates across protected and unprotected groups. Williams Institute, UCLA School of Law. June 2007.
Christopher Tuck Mung Baker Tom  
Representative (Division 1), Rackham Student Government  
Co-chair, Academic Affairs Committee  

ATTEST  
By Signing below, I certify the this resolution was dispatched by the RSG Board under the rules as prescribed in section IX of the bylaws and that the vote count appearing at the top of this resolution is accurate.  

____________________________________  
Kaitlin Flynn  
Vice President, Rackham Student Government  

PRESIDENTIAL ACTION  
I, Michael Benson, President of the Rackham Student Body, do hereby approve / veto this resolution on this the _______ day of _____, 2012.  

____________________________________  
Michael L. Benson  
President, Rackham Graduate Student Body