

SGA Bill No 2-09-F

A resolution to amend Article II Section 2 in the Constitution of the Student Government Association to add gender identity and expression to the Recognition of Basic Human Rights:

Whereas: Gender identity and expression are not part of the Recognition of Basic Human Rights (Article II Section 2) and not all students fit into the traditionally accepted gender binary system.

Whereas: The gender binary system shall be defined as “a system that views gender as either traditional male or traditional female, with no exceptions or variations.”

Whereas: Transgender students and students that express themselves outside of the gender binary system deserve equal treatment and equal services as is stated in Article II Section 2.

Whereas: Transgender individuals are victims of discrimination and violence based on their gender identity.

Whereas: Transgender students and students that express themselves outside of the gender binary system should maintain the right of freedom of expression, as stated in the First Amendment in the United States Constitution.

Whereas: Gender identity and expression shall be defined as “a person’s gender-related self-identity, appearance, expression or behavior, regardless of the person’s assigned gender at birth.”

Whereas: The United States House of Representatives has passed Hate Crime Legislation that would protect race, religion, disability, gender, sexual orientation, and gender identity.

Whereas: Thirteen states have amended their state civil rights code to include sexual orientation and gender identity.

Whereas: The Tennessee General Assembly has introduced legislation to protect gender identity and expression.

Whereas: Shelby County has passed a resolution to protect gender identity when hiring employees.

Whereas: Nashville, Tennessee, Metro schools protect gender identity and expression in its non-discrimination policy.

Whereas: The University of Tennessee of Knoxville includes gender identity in its non-discrimination policy.

Whereas: The addition of this amendment will create a more welcoming environment for a group that has been historically discriminated against in the United States. In addition, this amendment will paint the Student Government Association as an accepting and welcoming governing council for all students at Middle Tennessee State University.

THEREFORE, LET IT BE RESOLVED BY THE 72nd CONGRESS OF THE STUDENT GOVERNMENT ASSOCIATION OF MIDDLE TENNESSEE STATE UNIVERSITY THAT:

Section 1: Upon passages of this new amendment Article II Section 2 will read as follows:

Section 2: Recognition of basic human rights. All people are deserving of equal treatment and equal services. Neither the Student Government Association, nor any representative thereof, shall violate these rights on the basis of race, gender, religion, disability, sexual orientation, gender identity, and expression.

Section 3: The referendum will read:

“I support amending the Student Government Association’s Constitution, adding gender identity and expression to the Recognition of Basic Human Rights (Article II Section 2).”

Yes _____ No _____

Sponsored by: Senator Nichols

9/10/09
Pass;
25 in favor, 3 against
9/24/09
Pass;
23 in favor; 3 against

Speaker of the Senate

SGA President

VP of Student Affairs