

**Action of the 2011-2012 American Sociological Association Council
By Unanimous E-Vote of those Voting
(Signing Amicus Brief in Fisher v. University of Texas-Austin)
July 10, 2012**

Present by Vote: Amanda Evelyn Lewis, Catherine White Berheide, Cecelia Menjivar, Cecilia L. Ridgeway, David L. Brunsmma, David Snow, Edward E. Telles, Erik Olin Wright, Jennifer L. Glass, Jennifer Lee, Joya Misra, Laurel Smith-Doerr, Mario Luis Small, Monica Prasad, Randall Collins, Sandra S. Smith, Sarah Fenstermaker.

Background

On July 9, 2012, the Sally T. Hillsman, ASA Executive Officer, upon the approval of ASA President Erik Olin Wright and President-elect Cecilia Ridgeway, sent the following email to all members of Council requesting immediate action on whether or not the ASA should sign an amicus brief to the United States Supreme Court in the affirmative action case Fisher v. University of Texas-Austin.

Members of Council:

As I am sure you know, the Fisher v. UT-Austin Affirmative Action challenge is at the US Supreme Court for decision in the up-coming term. There are a significant number of amicus briefs being filed by scholarly groups, as they did in the preceding Grutter v. Bollinger (University of Michigan) affirmative action case. ASA filed an amicus brief in the Grutter case in support of the University's affirmative action approach (which was affirmed by the Supreme Court). The Grutter decision is now under challenge.

ASA has the opportunity to sign-on to a research-based amicus brief being drafted by the American Educational Research Association (AERA). Many of the educational researchers in AERA and involved in this brief are, of course, sociologists; many are members of ASA. Felice Levine, former ASA Executive Officer, is AERA Executive Director and facilitating this effort.

It was only today that I have received a draft of the AERA brief which is appended. It is nearly complete.

ASA's policy is that signing an amicus brief must be approved by Council. ASA Council must act this week if we are to join as a signatory of this brief. Both President Wright and President-elect Ridgeway have asked that I circulate this amicus brief to Council for members' immediate review.

I have attached the Petitioner's (Fisher) brief so you can see what the other side is arguing, and I have also attached ASA's Grutter v. Bollinger amicus brief so you can see what research ASA relied on in 2003.

Apologies for springing this on you. But I had no actual text to offer before this very last minute.

COUNCIL ACTION REQUIRED:

Please send me your vote by email by CLOSE OF BUSINESS WEDNESDAY, July 11, 2012:
YES = ASA should sign onto the AERA brief; NO = ASA should NOT sign onto the brief.
ABSTAIN.

When Council votes by EMAIL, it must be a unanimous vote of those who vote;
abstentions are not counted as votes.

Many thanks in advance for your quick turnaround on this.

Sally T. Hillsman, PhD
Executive Officer

Actions Taken

All Council members responded by the close of business Tuesday, July 10, 2012; two abstained because they were traveling outside the United States.

Motion and Council Vote:

<p>Motion: That the Council of the American Sociological Association sign the amicus brief to the United States Supreme Court in Fisher v. University of Texas-Austin drafted by the American Educational Research Association. Carried unanimously.</p>
