Update on Marriage Equality in the USA

By Darrell Kicker – University of Hawaii

Marriage equality has made remarkable gains in the United States since the U.S. Supreme Court’s decision in the Windsor case on June 26 of last year. When the Supreme Court found Section 3 of the Defense of Marriage Act (DOMA) unconstitutional, the federal government could no longer deny recognition and federal benefits to legally married same-sex couples. Just one year before this landmark decision, same-sex marriage was legal in only six states and the District of Columbia. Voters approved marriage equality initiatives in Washington, Maine, and Maryland in November 2012 which brought the total in June 2013 to nine states plus DC. In the almost one year since Windsor, the number of marriage equality states has grown to 17. State legislatures in Rhode Island, Delaware and Minnesota had all

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NAFSA 2014 Schedule of Events

For exact locations, please refer to Registration Program

Advisory Board Meeting
Tues. May 27th 10:00 – 11:00AM, Convention Center RM 13

Session: U.S. Federal Law and Same Sex Marriage: Immigration Advising Post-Defense of Marriage Act
Tues. May 27th 2:30 – 3:45PM

Rainbow SIG Open Meeting
Wed. May 28th 2:45 – 3:45PM

Session: Creating Seamless Campus Support Networks for International LGBTQ Students
Thurs. May 29th 8:00 – 9:00AM

Poster Fair: Increasing Diversity Outreach and Support in International Education
Thurs. May 29th 2:00 – 3:30PM

Rainbow SIG Reception
Wed. May 28th 8:00 – 10:00PM
Gossip Grill, 1220 University Ave., San Diego, CA 92103
This is in the Hillcrest neighborhood of San Diego

The 2014 – 2015 FEA Scholarship Winners

FEA is proud to announce the fourth round of scholarship winners! Click the FEA logo above to learn more about each student and wish them luck in their study abroad endeavors!
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3. What is your current role? What key responsibilities do you handle?

The University of Colorado Denver has a long tradition of international engagement, and this remains a significant point of pride for the institution. The Office of International Affairs,
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approved marriage equality in May 2013 and these laws went into effect in July and August.

Two days after the Windsor ruling in June 2013, same-sex marriages resumed in California. And before the end of 2013, same-sex marriage was also legalized in New Jersey, Hawaii, Illinois, New Mexico, and Utah.

In Utah, however, a request to halt same-sex marriages was granted by the U.S. Supreme Court on January 6. But during an amazing 17-day window of marriage equality (a federal judge found that state’s ban on same-sex marriage to be unconstitutional on December 20, 2013), over 1300 same-sex couples were married.

In January and February, federal judges in Oklahoma, Virginia, and Texas found the same-sex marriage bans in those states to be unconstitutional. Unlike in Utah, however, those decisions were all stayed immediately pending appeal.

The first of these appeals—of the Utah and Oklahoma decisions—were heard in April by the 10th Circuit Court of Appeals; a ruling to uphold the original decisions would strike down same-sex marriage bans in Colorado, Kansas, and Wyoming as well. The Virginia appeal is being heard by the 4th Circuit Court of Appeals this month.

In March, a federal judge struck down Michigan’s same-sex marriage ban. Same-sex marriages began on March 22, but the 6th Circuit Court of Appeals issued a stay later that day. During the approximately 24 hours that same-sex marriage was legal in Michigan, however, some 300 same-sex couples were married.

Although both the states of Utah and Michigan announced they would not recognize the same-sex marriages that were performed in their states when these marriages were legal, the U.S. federal government does recognize these marriages and has confirmed that these couples are entitled to all of the federal benefits of marriage.

In April, a federal judge in Oregon heard arguments against that state’s same-sex marriage ban. A ruling is expected as early as this month, after the judge considers the merits of a last-minute motion to intervene by a third-party organization that opposes same-sex marriage.

In narrower but also significant rulings this year, federal judges in Kentucky and Ohio ordered those states to recognize same-sex marriages legally performed in other states, a federal judge in Tennessee ordered the state to recognize the same-sex marriages of three couples, and a federal judge ordered Indiana to recognize the same-sex marriage of a couple because one of them is terminally ill. The Kentucky and Tennessee decisions are stayed pending appeals. The Ohio ruling is also stayed, except for the four plaintiff couples.

Most experts predict that the issue of the constitutionality of same-sex marriage in the United States will ultimately be decided by the U.S. Supreme Court possibly in 2015 but perhaps more likely in 2016. Any one or a combination of the five cases currently under appeal in Utah, Oklahoma, Virginia, Texas or Michigan could be the test case.

In an article on March 22 (“Wave of Appeals Expected to Turn the Tide on Same-Sex Marriage Bans”), The New York Times reported that “the legal battle over same-sex marriage is entering a new and climactic phase.

Decisions in the coming months will resonate beyond individual states across entire regions and may impel the Supreme Court to revisit the issue sooner than it wished.” All indications are that the long march towards full marriage equality for same-sex couples in the United States may finally be coming to an end.

States with Full Marriage Equality

2. California (2008/2013)
4. Iowa (2009)
5. Vermont (2009)
10. Maryland (2013)

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Region VII: R. Scott King
Region VIII: Lukman Arsalan & Brett Wobbe
Region IX: Rebecca Greenstrom & Andrew Platt
Region X: Sara Sanford, David Griffin, & Mary Louton
Region XII: Travis Pentz & Steve Jacques
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Darrell Kicker coordinates the Mānoa International Exchange (MIX) program at the University of Hawai‘i at Mānoa. Originally from Alabama, he is a graduate of the University of Alabama, Ohio University, & the University of Hawai‘i.
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as a central resource to the academic community, directly supports the University’s international education mission with Global Education, International Colleges and Partnerships, International Admissions and Services, advocacy, an ESL Academy, and has oversight of special international initiatives. One of the key missions of the Office of International Affairs is to develop innovative academic, research, and enterprise partnerships. I serve as the Director of International Enrollment Management and have the ability to make an immediate impact in important areas of international strategy, planning, and program development as I monitor the international student experience from student prospects through engagement as alumni.

4. What is one of your favorite places you’ve traveled? What made it special?

I love visiting Montevideo, Uruguay because my partner was born and raised there. Visiting with his family is always tremendous fun, and full of all the language barrier, cross-cultural shenanigans international educators enjoy. It may also be the empanadas and chivitos! Having family overseas reinforces the value I place on international education, the empathy I have for students studying abroad, and as a reminder that setting borders, cultures, and languages aside, we have a shared humanity that brings us together.

5. What are some issues you see facing LGBTQ populations and how can international education activate change/progress?

There are a number of issues relevant to this inquiry: Decriminalizing homosexuality and the surge of anti-LGBTQ laws in Africa, marriage equality in the USA and abroad, and unpacking the events of the Sochi Olympics. I find a way international educators can serve our student LGBTQ population is to acknowledge that many international LGBTQ students are returning to unsafe spaces. How do we inoculate them against the associated grief that accompanies a return home? In most cases, it makes sense to advise these students to connect with the campus counseling center as soon as their situation is made known. This will help protect the students and minimize the associated stress of dangers in the home country by finding resources and communities to support them before they return. This is as true for the LGBTQ international students as it is for female students returning to regions with limited mobility for women or any other cross-cultural challenge leaving the student...

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LGBTQ Familiarization Trip to Barcelona Fall 2014

This program, recently announced by CISabroad, will allow the LGBTQ community and supporters to gain insight and a first hand look into international opportunities for LGBTQ students and/or gender studies departments.

Program Length:
Sunday, October 19th to Thursday, October 23rd

Visits and Excursions Include:

1. Guest speakers on the changing role of women and LGBTQ issues in Spain since the transition from Dictatorship to Democracy
2. Guest speaker by a Spanish author who grew up during the transition with two moms
3. Visit to Front d’Alliberament Gai de Cataluny, a local Gay rights activist group
4. Get a back-stage look at Orgullo, the local Pride Committee
5. Lecture and visit to STOP SIDA, a local Aids Education group

For more info, contact: Scott Tayloe, Director of Customized Faculty-Led Programs at stayloe@cisabroad.com
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without an option to stay in the US. When it sets in for the students that their new found freedom’s days are numbered, the anticipatory grief needs to be mediated if the students are going to continue to succeed academically and once they are home.

There is also a tendency for an internalized homophobia to resurge in LGBTQ individuals when they are forced back into an unwelcoming environment. Therefore, it is critical for these students to identify resources and communities to access in their home country before they leave campus. Hearing lies about themselves and feeling abandoned at home are likely contributing factors to why these students studied abroad in the first place. Self-doubt reinforced by culture leads to loneliness and fear. As international educators, we can create a safe-harbor for international LGBTQ students to come into their own while studying on campus, fostering strength of spirit in these students for the return journey. If your campus does not offer LGBTQ support services, consider being the champion these students deserve. Many international educators joined the profession to play a role in making the world a better place, and whether that is for an individual student to persevere or for one student who goes home to change a country, it remains a worthwhile enterprise.

6. Tell us more about the goals for Rainbow SIG this year:

The Rainbow SIG is an incredible group because of its membership. I’d like to see the Rainbow SIG start an endowment for the Rainbow Scholarship through a strategic corporate sponsorship effort. I’d also like to see the Facebook membership grow, and help the Rainbow SIG create a set of NAFSA Publications, one for students/parents and another for international educators, focused on helping international LGBTQ students thrive. However, my ambitions alone do not drive the SIG, so engaging the membership at the NAFSA Annual Conference and laying out an agenda for the coming year or two represents yet another exciting opportunity. I also want to thank my co-chair, Brita Doyle, for being an incredible friend, mentor, and leader during the past year. I’ll miss working with Brita and look forward to her continuing contribution as a member of the SIG.

Rainbow SIG Elections

Nominations are open and elections will be held during the Annual Open Business Meeting on Wednesday, May 28th 2:45 – 3:45PM. Please see the NAFSA Program for exact location. Open positions include: Co-Chair, Co-Newsletter Editor, Co-Website Content Manager, and Co-Scholarship Coordinator. These will be 2-year positions.

For a description of duties, please visit the Rainbow SIG Governance section of our website.

Please submit nominations for open positions to the Co-Chairs by May 19th 2014. Please include the position(s) you are running for and a short bio about you. Also, volunteer as a Regional Representative.