

To: Ballot Simplification Committee

From:

Regarding: Appeal of the final draft language for "San Francisco Public High School Students Participation in the JROTC"

There is one sentence and one phrase that we would like you to strike from the final draft in the section **THE WAY IT IS NOW** and another sentence which we would like you to add.

- Sentence to be dropped: **"The San Francisco Unified School District's (SFUSD) Broad policy of non-discrimination applies also to JROTC".**
- Phrase to be dropped: **"JROTC instructors hold CA teaching credentials."**
- Sentence to be added after the sentence starting "On November 14, 2006, the San Francisco Board of Education...is **"The School Board voted to phase out JROTC because it determined that JROTC reflects the military's discrimination against lesbian, gay, bi-sexual and transgendered people."**

The Ballot Simplification Committee added a sentence to the first paragraph "The San Francisco Unified School District's (SFUSD) Broad policy of non-discrimination applies also to JROTC" which did not appear in its original draft or in the City Attorney's draft.

We ask that this sentence be dropped since it is contrary to the School Board's own findings regarding the discriminatory intent of JROTC.

As stated in the School Board's resolution, one of the reasons why it voted to end JROTC is because of its finding that the program did indeed discriminate. "JROTC manifests the military's discrimination against LGBT people" was the language used in the School Board's resolution.

As a federally designed and operated program the School District has no control over the JROTC's curriculum, standards, employment practices, benefits offered to students who complete the program, or any other aspect of JROTC. JROTC is not under the authority of the SFUSD in any way, and JROTC does not need to meet SFUSD or State standards in any aspect of its conduct.

Specifically, the SFUSD bars discrimination against LGBT adults in its own hiring practices, and will not contract with outside agencies which do not adhere to a similar practice. But the Pentagon, which selects the instructors for JROTC does not hew to that standard, nor can the School District enforce its standard upon the Federal Government. The School District also bars discrimination against students based upon sexual orientation, but the JROTC, which operates under Federal, Pentagon standards, offers JROTC graduates preferential enlistment rank if they enroll in College ROTC or enter the military. By denying LGBT students those opportunities, the JROTC discriminates against students on the basis of sexual orientation.

These were the facts upon which the Board of Education determined that JROTC does in fact discriminate against LGBT students. However, Board of Education has never attempted to enforce these or any other non-discrimination standards of its own upon JROTC, because the JROTC does not come under San Francisco or California mandates in any way.

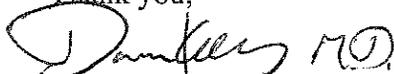
The dilemma facing the School Board was the existence of a program in SFUSD that they knew to be discriminatory yet they had not control over the program and its content. Their only options were to continue the program or phase it out. They chose the latter. This is contrary to the statement inserted in the proceedings of the Ballot Simplification Committee on July 31.

Ballot Simplification Committee members stated that they could not add the language of the School Board resolution because it was not part of the original ballot statement submitted by the proponents. However, this finding of fact by the School Board seems entirely relevant to this ballot statement. While the JROTC supporters do not want to recognize the discriminatory intent of the program, the School Board decided otherwise. To continue to allow this program, the School Board would have to violate its own policy as well as the non-discrimination policy of the City of San Francisco.

Therefore it is reasonable and necessary to add an additional sentence to the description in the paragraph described above which describes the School Board's action—**The School Board voted to phase out JROTC because it determined that JROTC reflects the military's discrimination against lesbian, gay, bi-sexual and transgendered people.**

The final phrase to be changed is in the first paragraph, "**In San Francisco, JROTC instructors hold California teaching credentials.**" None of JROTC's program meets California curriculum standards—as a federal program it does not have to meet any such standards. Its instructors in San Francisco do not have college degrees. They only hold a limited permit like a sports coach who teaches no classes. Note that JROTC itself calls them instructors not teachers for this very reason. It is misleading to imply this type of permit is equal to an academic teaching credential. There have been attempts to gain true teaching credentials for the instructors, but due to their lack of the requisite education and other factors, none of the instructors have succeeded in gaining a valid academic credential.

Thank you,



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Substitute Motion , As Amended.
Adopted by the Board of Education at its Regular Meeting of November 14, 2006.

Subject: Resolution No. 65-23A1
PHASING OUT THE JROTC PROGRAM
- Mark Sanchez and Dan Kelly

WHEREAS: The San Francisco Unified School District has banned educational partnerships with outside organizations that discriminate against any group based upon sexual orientation; and

WHEREAS: Civilian control of the military, and restriction of military involvement in civilian affairs is a fundamental characteristic of a healthy democracy; and

WHEREAS: The San Francisco Unified School District has restricted the activities of military recruiters on our campuses; and

WHEREAS: The San Francisco Unified School District has adopted violence prevention and conflict resolution strategies that promote non-violent behavior; and

WHEREAS: The San Francisco Unified School District requires that teachers of all academic courses be fully credentialed; and

WHEREAS: JROTC is a program wholly created and administrated by the United States Department of Defense, whose documents and memoranda clearly identify JROTC as an important recruiting arm; and

WHEREAS: No other potential employer or recruiter is given such a high profile, nor such extensive contact with students; and

WHEREAS: JROTC instructors are not certificated teachers, and may not even possess a college degree of any kind; and

WHEREAS: The San Francisco Unified School District share of JROTC salaries is provided from central budget, while regular PE teachers are charged against each school's site-based budget; and

WHEREAS: JROTC manifests the military's discrimination against LGBT people by offering non-LGBT students preferential enlistment options; and

WHEREAS: JROTC is one of the largest after school activities at some High Schools; and

WHEREAS: The Board of Education has received extensive testimony that JROTC promotes self-esteem, community service, and academic and leadership skills; and

WHEREAS: Many other student extra-curricular activities also develop self-esteem, academic and leadership skills, and a commitment to service; and

WHEREAS: The California Education Code permits, and some SFUSD schools allow, students to receive PE credit for sports participation, independent study, or other classes deemed equivalent.

Therefore Be It Resolved: The Board of Education finds that credentialing requirements for academic instructors and courses are not met by the JROTC, except where specifically allowable as a substitute for Physical Education; and

Be it Further Resolved: The Board of Education finds that JROTC programs on campus constitute a form of military recruitment and are in violation of our policy governing fair access for recruiters on campuses; and

Be it Further Resolved: The Board of Education finds that the JROTC program violates our anti discrimination policies with regard to LGBT students and adults; and

Be it Further Resolved: The Board of Education finds that the funding mechanism of the JROTC creates inequities between High Schools in SFUSD; and

Be it Further Resolved: The Board of Education finds that the JROTC is an inappropriate extension of the nation's military into the civilian sphere; and

Be it Further Resolved: The Board of Education hereby begins a two-year phase out of all JROTC programs in the SFUSD resulting in no JROTC classes in the 2008-2009 school year and beyond; and

Be it Further Resolved: No new JROTC units or programs may be initiated at any SFUSD schools, effective immediately; and

~~**Be it Further Resolved:** No academic credit shall be awarded for any JROTC participation beyond the required 20 PE credits after the 2006-07 school year; and~~

~~**Be it Further Resolved:** No new students shall be enrolled in the JROTC after the current semester, nor shall any~~

That SFUSD staff ***shall not*** direct or require that students enroll in JROTC as an alternative to PE, or for any other reason; and

~~**Be it Further Resolved:** The Board of Education will grant PE credits for sports participation, independent study, and other courses deemed appropriate, and requests staff to provide guidelines for Board approval by the first meeting in January 2007; and~~

Be it Further Resolved: That the Board of Education directs that the current JROTC subsidies be re-distributed, as the program is drawn down, to SFUSD high schools on an equitable basis through the weighted student formula, to support and expand ~~after school~~ opportunities for all students.

Be It Further Resolved: That the Board of Education calls for the creation of a special task force to develop alternative, creative, career driven programs with the elements of the existing JROTC program that students have indicated important to them, which then will provide students with a greater sense of purpose and respect for self and humankind; and

Be It Further Resolved: That any new programs being implemented beginning academic year 2007-08 are evaluated before the end of the school year to test student satisfaction.

11/14/06

Please Note:

- Taken up by the Curriculum and Program Committee on August 23, 2006. Substitute motion accepted by general consent of the Committee. Substitute Motion forwarded to the Board with a positive recommendation from Committee, and to be taken up for action at the September 12, 2006 Regular Board Meeting by a vote of 2 ayes (Mar and Kelly), and 1 nay (Lipson).
- Taken up by the Budget and Business Services Committee on 10/18/06. Substitute motion, as amended, forwarded to the Board with a positive recommendation (2 ayes, 1 nay (Wynns)). The Budget and Business Services Committee recommends to the Board that the intention of the original motion to develop an alternative program be addressed.
- Substitute motion amended and adopted on 11/14/06.