WHEREAS: 37% of San Francisco residents (approximately 285,500 people) are immigrants; and

WHEREAS: Although there are no accurate numbers of how many non-citizens have children enrolled in San Francisco’s public schools, approximately 30% of SFUSD’s students are English learners; and

WHEREAS: Citizenship has not always been required for the right to vote in the United States. For a 150 year period in our nation’s history, immigrants could vote. 22 states and territories allowed immigrants to vote and even to hold political office during the 19th century and the first three decades of the 20th century until the anti-immigrant backlash following World War I; and

WHEREAS: Over the last 25 years, U.S. jurisdictions in the states of Maryland, New York, Illinois and Massachusetts have permitted non-citizen voting rights. For example, in New York City, before Mayor Michael Bloomberg dissolved the school councils in 2002, non-citizens voted in school elections for 25 years; and

WHEREAS: The unfortunate effect of these separate local school board elections on school board governance was to severely suppress citizen voting participation in school board elections, reduce support for school measures and contribute to the erosion of democratic governance in New York City where there is currently no Board of Education; and

WHEREAS: Non-citizen voting is common practice in other nations, with 23 countries allowing some form of non-citizen voting, including Belize, Canada, Denmark, Spain and the United Kingdom; and

WHEREAS: Immigrants who want to become citizens face enormous bureaucratic challenges, waiting an average of 10 years to go through the process to become citizens; and
WHEREAS: Following the 9/11 attacks, backlogs in waiting times have dramatically increased for those waiting to become citizens. From 2002 to 2003 the processing times for (1) family-based petitions doubled, (2) applications to replace green cards doubled, and (3) naturalization applications increased by 40%. Adjustment-of-status application backlogs are at an all-time high, with 1.24 million cases at the end of 2003; and

WHEREAS: The constitutional question of the link between citizenship and voting in school board elections in California has not been adjudicated; and

WHEREAS: This waiting time for many non-citizen parents lasts the duration of their children’s tenure in public schools; and

WHEREAS: Immigrant parents’ children, many of whom themselves are citizens, benefit with more participation in the democratic process; and

WHEREAS: Immigrant households in the United States paid an estimated $133 billion in taxes to federal, state and local governments -- from property, sales and income taxes (Cato Institute, 1997); and

WHEREAS: Immigrants have fought in every major American war and have at times been subject to the draft. Currently, more than 37,000 non-citizens serve in the U.S. Armed Forces; and

WHEREAS: A super-majority of the San Francisco Board of Supervisors support President Matt Gonzalez’ proposal to allow non-citizen San Francisco parents or guardians with students in public schools to participate in the vote for those who serve on the San Francisco Board of Education; and

WHEREAS: The voting rights measure, Proposition F, is on the November 2, 2004, ballot as an amendment to the City and County of San Francisco’s charter, and, if passed, the measure would apply for just two election cycles--thereafter, the Board of Supervisors would review its efficacy; and

WHEREAS: Many immigrant and civil rights organizations like La Raza Central Legal, Chinese for Affirmative Action, Bay Area Immigrant Rights Coalition, Interfaith Coalition for Immigrant Rights, Northern California Citizenship Project have worked locally for decades to improve the status of immigrants and to promote increased participation in our democracy.
THEREFORE BE IT RESOLVED: That the San Francisco Board of Education supports the November 2004 charter amendment to allow non-citizen parents and guardians with students in SFUSD to vote in San Francisco Board of Education elections; and

FURTHER BE IT RESOLVED: That the Board of Education is interested in the outcome of any constitutional debates related to citizenship and voting and wishes to be informed of the progress of such actions; and

BE IT FURTHER RESOLVED: That the Board of Education is committed to maintaining and enhancing a high level of participation in School Board elections by all eligible voters and opposes any implementation of Prop F that would separate the School Board election from regular ballots and regular elections and therefore calls on the Board of Supervisors and the Department of Elections to implement Prop F., should it pass in November, without removing School Board elections from regular general elections or from regular ballots, and

FURTHER BE IT RESOLVED: That if Prop F is passed by the voters and found to be constitutional, the Board of Education urges the Board of Supervisors to consider measures that would allow non-citizen residents of San Francisco to vote in all local elections.

8/10/04
9/14/04
9/28/04

Please Note:
- Referred on 8/10/04 to the Rules, Policy, and Legislation Committee by order of the Chair.
- Taken up by the Rules, Policy, and Legislation Committee on 9/1/04. Positive recommendation, as amended, to the Board of Education by a vote on 2 ayes, 1 nay). New language in **bold, italics, underscored**.
- Postponed on 9/14/04 by action of the Board of Education to be heard at the meeting of 9/28/04.
- Adopted, as amended, on 9/28/04.