

Sonoma Civil Liberties

FEBRUARY, 2004 #45

Edited by Steve Fabian

ALICE WACO TO RECEIVE 2004 JACK GREEN CIVIL LIBERTIES AWARD

The Jack Green Civil Liberties Award will be presented to Alice Waco at our Awards Ceremony and Annual Dinner for her life-long use of the First Amendment to advance peace & justice.

Alice lives her spirituality through social activism, which often calls her to put her body on the line. Whether joining protests supporting workers, or demonstrating against war, nuclear weapons, Phyllis Schafly's Eagle Forum,

Livermore Lab or the School of Americas, Alice is there showing how to observe, judge and act to resolve conflict non-violently. Sometimes her action leads to arrest, but Alice continues her work through the jails and prisons, where she leads workshops in conflict resolution and alternatives to violence.

Alice's passion for social justice began in the 1950's when as a chemistry teacher she organized students engaging in hu-

manitarian projects. During the Vietnam war, Alice counseled students and helped write letters for conscientious objectors.

In the 1980's, she led the Santa Rosa teachers in a lengthy strike to preserve collective bargain rights, and helped conceive *Educators for Social Responsibility*, to empower teachers and students to resolve conflicts nonviolently. Alice established the *Cherkassy, Ukraine-Santa Rosa Sister City* project and organ-

ACLU of Sonoma County
Winner of the 2002 Dick
Criley Activism Award

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JUDITH VOLKART HONORED WITH LOLA HANZEL COURAGEOUS ADVOCACY AWARD

ACLU of Sonoma board member Judith Volkart was presented with The Lola Hanzel Courageous Advocacy Award at the ACLU of Northern California's Bill of Rights Celebration December 14th.

Judith was honored for her years of service to our Chapter and the Northern California affiliate. Judith first joined the Sonoma County Board of Directors in 1994. She immediately became a powerful voice on the board and in the community for civil liberties. She has served the Sonoma Chapter as board secretary (1995), chair (1996-1999), and as a member of the Jack Green Civil Liberties and

Mario Savio Student Activist Award Committees.

Judith has served ACLU-NC as our Chapter representative on



JUDITH VOLKART

the Board of Directors (1994-1996), on the board nomination committee (1996), and legal committee (1996 to present). She is a frequent

speaker on chapter organizing at ACLU-NC workshops and conferences.

During her tenure on the Sonoma board, Judith has been active in the community for a wide variety of local, state and national civil liberties issues. She worked in coalition with the Redwood Chinese Association and 20 other Sonoma County organizations advocating independent civilian review boards, and testified as an expert on community-police relations at the request of the California Advisory Committee to the US Civil Rights Commission during its 1998 Sonoma County hearing.

Fighting against Proposition 187, Judith

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to defeat the measure in our county. She also worked with students to form an ACLU club at Sonoma State University, and organized with free speech leader Mario Savio to fight the ef-
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CLOSE TO HOME: SCHOOLS MUST AID NON-ENGLISH SPEAKERS

By Richard Coshnear and Robert Lotero

Printed in Press Democrat December 13, 2003

Latino parents in the Santa Rosa School District have known for some time that their children have not been receiving a decent education - and they are demanding a better approach.

Currently 44 percent of the Santa Rosa schools district's 4,500 elementary students do not speak English as their primary language and the numbers of these English language learning (ELL) students are expected to grow in the coming years. Most of these students speak Spanish.

After passage of Proposition 227 in 1998, California declared that all students be taught in classes using the English language, a technique known as English immersion. Studies show that ELL students need to have an -- academic proficiency in English -- to succeed in classes conducted in English. Immersing students who do not understand academic English into classes using English only leads to failure.

Last year only 2.5 percent of ELL students in Santa Rosa schools were taught to understand academic English. These numbers are dismal compared to the 8.3 percent county-wide rate of success and even compared to the statewide level of 7.7 percent. Even worse, the rate of ELL students taught to understand academic English in Santa Rosa schools has dropped 43 percent since 1997.

Education experts differ as to the most effective method in teaching ELL students. Many believe the best way is to first teach them in the language they grew up with and then use that knowledge to lay a foundation for grasping English in a fuller and more adequate way (this technique is often referred to as bilingual education).

Proposition 227 requires schools

to notify parents of their right to request a waiver to prevent their child from being immersed into classes taught in English. If 20 or more students in a school's grade level request a waiver, the school must provide bilingual classes.

Over the past year, California Rural Legal Assistance (CRLA) has received numerous complaints from Latino parents about the school district's failure to provide an adequate education for their children.

The Sonoma chapters of the American Civil Liberties Union, National Association for the Advancement of Colored People, the Sanchez/Mendoza Institute and others joined CRLA and met with parents and students.

The parents stated they were not receiving timely, understandable notices of their rights to request that their child be taught in Spanish. They said they were encountering difficulty when attempting to file waivers at the schools. Parents complained that high schools were placing their children into ceramics and other classes requiring little language skills, preventing full-time students from being able to graduate after four years.

On a weekend in mid-October, volunteers for these organizations spoke at four Spanish-language church services. They asked churchgoers if they were worried about the poor performance by ELL children at Santa Rosa schools and asked parents whether they had been informed of their right to request waivers.

Parents of 193 Santa Rosa ELL students and nearly 200 other supporters signed petitions to the school board expressing their concern about the low-quality education being provided; their desire to have children taught to read first in Span-

ish and then English; and that they were unaware of the option to request that a child be taught first in Spanish.

After receiving the petitions, the school board had their staff conduct an "investigation" which included interrogating the parents. On Nov. 12 the board heard a presentation on this investigation, and immediately concluded the petitions were "suspect" and the parents had been "duly noticed" about their waiver rights.

The board failed to grasp that the notice did not give the parents an understanding of their options and rights. But the school board did not want to hear this message, and refused to allow any questions or comments concerning the investigation.

The board rejected any changes to their failed policies that would allow more students to be taught in their native language and it attacked the integrity of the community groups that the parents came to for help stating that "the vehicle that got us here basically had no wheels."

It is easy for the school board to attack those seeking positive changes to this quagmire and to dismiss the requests of the parents. The dismal record of Santa Rosa schools demonstrates the need for changes in how English language learning students are taught and the importance of parents understanding their right to request their child be taught first in their native language.

Santa Rosa School Board's policy for teaching ELL students is a vehicle taking these students down a dead-end street.

Richard Coshnear is an attorney and ACLU board member.

Robert Lotero is a CRLA attorney.

Judith Volkart

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worked in a coalition of supporters of the local farm worker community fights of Proposition 187 and oppose discriminatory fee hikes on campus. As chair, she established the Mario Savio Student Activist Award.

Lately, Judith has focused on the perils of the USA Patriot Act. She has addressed diverse audiences throughout Northern California, and

her speeches have been aired on public radio stations across the country. Judith has worked with local Bill of Rights Defense Committees to help pass anti-Patriot Act resolutions by sharing information and speaking at council meetings. Her participation in forums on the Patriot Act helped in the creation of new ACLU chapters in Mendocino and Napa chapters. "If not for Judith, the evils of the Patriot Act would be unknown to the ordinary folk. Judith's work reflects a passion and commitment to justice for all,"

notes board member and community activist Alicia Sanchez.

"Judith's tireless dedication to civil liberties has kept the Sonoma chapter strong. She has been a voice of civil liberties not only in Sonoma County but also throughout northern California. Her keen intellect and warm personality allows her to work effectively in coalitions promoting civil liberties and makes her a great spokesperson for the ACLU," states chapter chair and 1998 Lola Hanzell recipient, Steve Fabian.

2004 AWARDS CEREMONY & ANNUAL DINNER

KEYNOTE ADDRESS:

***“ENEMY COMBATANT STATUS:
A LEGAL BLACK HOLE”***

JENNY MARTINEZ

Jenny Martinez teaches at Stanford Law School and is involved in the *Padilla v. Rumsfeld* case before the U.S. Court of Appeals. Jose Padilla is a U.S. citizen arrested in Chicago, who has been locked up incommunicado as an “enemy combatant” since May 2002 without being charged with a crime.

2004 JACK GREEN CIVIL LIBERTIES AWARD WINNER:

Alice Waco

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Student Essay Contest Winners

This 2003 Student Essay Contest was our most popular yet. We received 21 entries from 6 high schools as students shared their thoughts on USA Patriot Act and whether the loss of privacy in the "war on terrorism" is justified. The winners are (teacher's name):

1st \$250: Brian Price, 11th grade Analy High, Sebastopol (Lazlo Toth) *Tyrannical Uprising in Times of Fear*

2nd \$150: Angela Pustorino - 11th

grade Windsor High (Suzanne Maxson) *The Patriot Act: Enforcing National Security or Violating Civil Rights*

3rd \$75: Stacia Sherry - 11th grade Valley Oaks High, Petaluma (Karen Sanders) *The Patriot Act*

Thanks to all that entered, to Anne Fitzgerald and Bob Klose for organizing the contest and to Lee Torliatt, Linda Harlow and Anne Fitzgerald for judging the essays.

You can read the winning essays on

In Memory

Leonore Hollander, 97, noted chemist and author of *A Life as Lived*.

Donald Perrott, 24, musician. The Donald Perrott Memorial Fund his family and friends have made generous contributions to the Chapter .

Daniel Price, 28, artist and cartoonist was killed defending his wife in San Francisco. His cartoons on the banning of the book *Always Running* by Santa Rosa School board were used on our essay contest poster (see them on our website)

Jack Green Award

Continued from page 1

ized several student interchanges. In 1992, the National Education Association of Teachers, honored Alice with its peace education award.

Alice has been active at the Peace and Justice Center since its beginning, and has served as president of the board and as a board member.

Alice's directs a grassroots fundraising organizations *Friends of CANTERA* to help bring justice to the poor of Nicaragua and *Nino-a-Nino* to

award scholarships enabling young people to attend school.

Today, the calm, wise voice of Alice Waco teaching peace and justice can be heard not only in the classroom and on the streets, but throughout our local community and the world. Now when peaceful protest can result in arrest and injury, we are especially fortunate that leaders like Alice who continues to speak her heart grace our community.

The keynote address "*Enemy Combatant Status: A Legal Black Hole*" will be delivered by Jenny Martinez, who authored one of the legal briefs that suc-

cessfully challenged the government detention of Jose Padilla as an "enemy combatant" before the U.S. Court of Appeals in New York. Ms. Martinez is a professor of law at Stanford Law School and has served as an Associate Legal Officer at the U.N. International Criminal Tribunal for the Former Yugoslavia at The Hague. Ms. Martinez is a terrific speaker and you should not miss her talk.

So come. The music, food and auction are great and so are the people. New members come to the dinner for free. The public is invited and the building is wheelchair accessible. Make your reser-



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February, 2004 #45

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