

**BERKELEY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION**

**RESOLUTION NO. 11-27
DECLARING JANUARY 30 AS FRED T. KOREMATSU DAY OF CIVIL
LIBERTIES AND THE CONSTITUTION**

WHEREAS, the Peace and Justice Commission advises the City Council and the School Board on all matters relating to the City of Berkeley's role in issues of peace and social justice (Berkeley Municipal Code (BMC) Chapter 3.69.070; and

WHEREAS, the battle for civil liberties has been championed by ordinary Americans who have had the courage to stand up and fight for their basic Constitutional rights; and

WHEREAS, Fred T. Korematsu was one of these individuals, who refused to comply with Civilian Exclusion Order 34, based on the federal Executive Order 9066, which imposed strict curfew regulations and required 120,000 Japanese Americans to leave their homes to be incarcerated in American concentration camps during World War II; and

WHEREAS, Mr. Korematsu was arrested and convicted, but fought back because he believed the conviction went against the basic freedoms guaranteed to him by the U.S. Constitution, and

WHEREAS, Mr. Korematsu's conviction was ultimately overturned in 1984; a decision that influenced the US government's passage of the Civil Liberties Act of 1988, which recognized that a grave injustice was done by forced relocation and incarceration of civilian Americans because of wartime prejudice; and

WHEREAS, current California law designates a number of days as having special significance, when public schools are encouraged to observe and conduct suitable commemorative exercises as specified; and

WHEREAS, the History-Social Science Framework for California Public Schools, Kindergarten through Grade Twelve, states that the history curriculum at each grade level relating to community, state, region, nation and the world must reflect and integrate the experiences of men and women of different racial, religious and ethnic groups; and

WHEREAS, the California Assembly and State Senate passed AB 1775, commemorating January 30th as Fred Korematsu Day of Civil Liberties and the Constitution - the first day named after an Asian American in US history, without opposition and Governor Arnold Schwarzenegger signed this bill into law on September 23, 2010:

NOW, THEREFORE, BE IT RESOLVED, that the Berkeley School Board encourages all schools and teachers to observe January 30th as Fred T. Korematsu Day of Civil Liberties and the Constitution and conduct exercises commemorating the life of Fred Korematsu and recognizing the importance of preserving civil liberties, even in times of real or perceived crisis.

APPROVED AND ADOPTED this 26th day of January, 2011 by the Board of Education.

AYES

NOES

ABSTAIN

ABSENT

John T. Selawsky, Clerk