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SAN FRANCISCO UNIFIED SCHOOL DISTRICT, 555 Franklin Street, 3<sup>rd</sup> Floor, San Francisco, CA 94102

May 11, 2004

The Honorable Ronald George, Chief Justice and Associate Justices  
Supreme Court of the State of California  
350 McAllister Street  
San Francisco, CA 94102-4783

Re: Amicus letter supporting San Francisco City and County in *Lockyer v. City and County of San Francisco*, Supreme Court No. S122923, and *Lewis v. Alfaro*, Supreme Court No. S122865 pursuant to Cal. Rules of Court 28(g)

Dear Chief Justice George and Associate Members:

The San Francisco Unified School District would like to express its full support of the briefs filed by the City and County of San Francisco in the same sex marriage litigation entitled *Lockyer v. City and County of San Francisco*, Supreme Court No. S122923, and *Lewis v. Alfaro*, Supreme Court No. S122865. The District also supports the amicus briefs filed in this litigation by Santa Cruz County and Santa Clara County.

Founded in 1851, the San Francisco Unified School District is the first public school district established in California. SFUSD currently educates over 60,000 students annually in over 160 pre-school, elementary, middle and high schools. The basic tenet of SFUSD is "Excellence for All," and the District employs over 7,000 principals, teachers, educators, administrators and staff who are responsible for providing this excellence in education to our youth in San Francisco.

The District would like to articulate its support for Mayor Gavin Newsom's refusal to enforce an unconstitutional state law that prohibits same-sex couples from getting married. On April 27, 2004, the San Francisco Board of Education adopted Resolution 43-23A15, entitled *LGBTG Civil Rights*, which outlines the basis for the District's interest in the same sex marriage litigation that is pending before the Court.

Through this Resolution, the Board recognized that stability in a child's home is a major factor in his or her mental health and readiness to learn, and that legal and public recognition of same sex marriages can contribute to providing this security. The Board's Resolution also reinforces the Board's support for full civil rights for lesbian, gay, bisexual, and transgender staff, parents and their families.

The Board of Education also has an interest in preserving its ability to refuse enforcement of unconstitutional laws that may deprive students, staff or families of their constitutional rights, or that will subject the District to significant liability if enforced.

Thank you for your consideration of our interests in your ruling on this important litigation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Louise Renne".

Louise Renne, General Counsel

Cc: San Francisco Board of Education  
Superintendent Arlene Ackerman

1 *Bill Lockyer, Attorney General v. CCSF*  
California Supreme Court Case No. S122923

2 *Barbara Lewis v. Nancy Alfaro*  
3 California Supreme Court Case No. S122865

4 **PROOF OF SERVICE**

5 I, PAMELA CHEESEBOROUGH, declare as follows:

6 I am a citizen of the United States, over the age of eighteen years and not a party to the  
7 within entitled action. I am employed at the Office of the City Attorney, 555 Franklin Street, 3<sup>rd</sup>  
8 Floor, San Francisco, CA 94102.

8 On May 17, 2004, I served the following:

9 **AMICUS LETTER SUPPORTING CCSF IN**  
10 **LOCKYER v. CCSF AND LEWIS V. ALFARO**

11 on the interested parties in said action, by placing a true and correct copy thereof in sealed  
12 envelope(s) addressed as follows:

13 [SEE ATTACHED SERVICE LIST]

14 And served the named document in the manner indicated below

15 X BY MAIL: I caused true and correct copy(ies) of the above document(s), by  
16 following ordinary business practices, to be placed and sealed in envelope(s)  
17 addressed to the addressee(s), at the Office of the City Attorney, 555 Franklin  
18 Street, 3<sup>rd</sup> Floor, San Francisco, CA 94102, for collection and mailing with the  
United States Postal Service, and in the ordinary course of business,  
correspondence placed for collection on a particular day is deposited with the  
United States Postal Service that same day.

19 \_\_\_\_\_ BY FACSIMILE: I caused copy(ies) of such document(s) to be transmitted  
20 via facsimile machine. The fax number of the machine from which the document  
21 was transmitted was \_\_\_\_\_. The fax number(s) of the machine(s) to  
22 which the document(s) were transmitted are listed above. The fax transmission  
was reported as complete and without error. I caused the transmitting facsimile  
machine to print a transmission record of the transmission, a copy of which is  
attached to this declaration.

23 I declare under penalty of perjury under the laws of the State of California and the  
24 laws of the United States that the foregoing is true and correct.

25 Executed May 17, 2004, at San Francisco, California.

26   
27 \_\_\_\_\_  
PAMELA CHEESEBOROUGH

**SERVICE LIST**

**LOCKYER v. CCSF**

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**LEWIS v. ALFARO**

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**LEWIS v. ALFARO, cont'd.**

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