

Statement of Support for Academic Freedom and Union Rights in the case of Yvette Felarcaa, a union teacher in the Berkeley Unified School District Oscar Grant Committee, October 4, 2016

The Oscar Grant Committee expresses its concern about the case of Yvette Felarca, a Berkeley Middle School teacher and union member who has been targeted for her controversial off-campus political activities. While many aspects of this case remain unclear, it appears that the Berkeley Unified School District has placed Ms Felarca on administrative leave, and withdrawn some of her back pay from her bank accounts, in response to pressure from certain groups and/or individuals who have made threats to harm students if Ms. Felarca is not fired. No evidence is available indicating that any of Ms Felarca's students or parents were involved in these complaining groups/individuals, nor is there any evidence that Ms. Felarca conveys her political views to her students in any inappropriate manner. Indeed, Ms. Felarca's students and their parents are among her strongest supporters.

We understand that Ms. Felarca has personally filed a state and federal lawsuit against the Berkeley Unified School District (BUSD). The Berkeley Federation of Teachers (BFT) has also filed a grievance with the district on Felarca's behalf.

The OGC joins with others in the community to demand that the BUSC:

1. End this witch-hunt by returning Ms. Felarca to her classroom, dropping all disciplinary action, and restoring her pay.
2. Defend teachers' academic freedom and free speech.
3. End the shameful interrogations of students, especially Ms. Felarca's immigrant and other ELD (English as a Second Language) students, without even notifying or allowing their parents to be present.

The petition against Ms. Felarca followed her activities at an anti-fascist rally Sacramento, and claims that: "On June 26, 2016, Yvette Felarca was caught on video assaulting a man at a white nationalist rally in Sacramento. She punched the man in the stomach repeatedly, before throwing him to the ground."

While the video does show Ms. Felarca pushing and punching a much larger man and tugging on his backpack, he was not "just standing there" and she did not "throw him to the ground" as some have claimed. The entire video shows the man with a banner on a long pole walking along, taunting the "antifa scum," and in a much more serious fight with a few unidentified individual striking each other with long sticks or poles. After this, he was yelling at the cops when Ms. Felarca and a couple of unidentified men ran up, ran up. Ms. Felarca pushed him, hit him in the stomach a few times, and pulled at his backpack. Then the others threw him on the ground and started kicking him. Ms. Felarca watched the kicking but did not participate. Then the cops ran up, threw Ms. Felarca to the grounds, and chased her and the others off. Ms. Felarca is later interviewed in another video with a bandage on her head from this and (perhaps) other encounters.

Ms. Felarca's activities in Sacramento on June 26 were only one small part of what the Sacramento Bee has called the "most violent" event in recent Sacramento history and described the police response, or lack of response, "surreal." Photo and video coverage shows violent brawls with no intervention by police while journalists and protestors were harassed, attacked and pepper-sprayed. At least 10 people were hurt, five of them stabbed, at this chaotic, bloody neo-Nazi rally at California's Capitol Park in Sacramento.

Opinions may differ about the neo-Nazi rally and the protests, as well as the activities of the participants, but it is clear that whatever Ms. Felarca did at that and other events was done on her off-time and both her union contract and the California Education Code protects off-duty political activities of teachers.

The Oscar Grant Committee was born from the struggle for justice for Oscar Grant, murdered by BART police on Jan 1, 2009. We organize working class resistance in support of families whose loved ones were murdered by police. Join us. See our website for our next meeting time and place.

The Oscar Grant Committee Against Police Brutality and State Repression
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