



**ADL Contact:**

Todd Gutnick, [adlmedia@adl.org](mailto:adlmedia@adl.org), 917-544-2342

**Brandeis Center Contact:**

Nicole Rosen, [nicole@rosencomm.com](mailto:nicole@rosencomm.com), 202-309-5724

**AJC Contact:**

Steve Gosset, [mediacomms@ajc.org](mailto:mediacomms@ajc.org), 212-891-1363

**PLG Contact:**

Marlene E. Laro, [mlaro@potomaclaw.com](mailto:mlaro@potomaclaw.com), 703-517-6449

**StandWithUs Contact:**

Jennifer Kutner, [jkutner@standwithus.org](mailto:jkutner@standwithus.org), 310-245-4109

## **Coalition Files Lawsuit to Stop Antisemitic Content from Being Taught in Santa Ana Public Schools**

*Lawsuit alleges significant violations of the Brown Act, California open meeting law.*

Santa Ana, Calif., September 11, 2023... ADL (the Anti-Defamation League), The Louis D. Brandeis Center for Human Rights Under Law, the American Jewish Committee and Potomac Law Group announced today that they filed suit on behalf of the Brandeis Center and its membership arm, So-CUE (Southern Californians for Unbiased Education), comprised of Orange County and Santa Ana residents, against the Santa Ana Unified School District (SAUSD) for alleged violations of California's open meetings law, including failing to provide proper public notice before approving multiple ethnic studies courses containing anti-Jewish bias and for refusing to protect the public, including members of the Jewish community, from intimidation and harassment at Board meetings. The suit is intended to prevent antisemitic material from being taught in Santa Ana schools while the Board goes through the process of approving courses in a lawful manner.

The lawsuit, filed in the Superior Court, State of California, Orange County, alleges that in March and April 2023, the SAUSD knowingly circumvented the law and was misleading in its effort to pass curricula with dangerously anti-Jewish teachings that violate state rules and ethical

standards, all without community awareness. Documents responsive to a Public Records Act request revealed this lack of transparency was intentional, as those developing the curriculum questioned how to “address the Jewish question” and suggested collaborating with outside organizations with a history of controversial viewpoints, instead of with the Jewish community. When members of the community discovered the school board’s actions and appeared at a meeting to publicly comment following the controversial curriculum’s covert approval, they were harassed with antisemitic rhetoric.

“It’s clear that the Santa Ana Unified School District violated the law in their rush to approve antisemitic content within their ethnic studies curriculum. Closed-door discussions prevented input from marginalized communities – in direct contrast to the goal of the ethnic studies program, which is to support marginalized communities,” said James Pasch, ADL Senior Director of National Litigation. “No school board should silence the families and students who have a vested interest in the lessons taught in public schools. We’re grateful to the members of the community who endured significant harassment to speak out against this hateful content and the school board’s actions.”

“The Santa Ana School Board has allowed ethnic studies courses with substantial antisemitic content to slide through the approval process without giving the public legally required notice or a meaningful opportunity to comment,” said L. Rachel Lerman, General Counsel of the Brandeis Center. “Emails we have uncovered suggest the School Board knowingly tried to keep things under wraps so they wouldn’t have to address what the course developers called ‘the Jewish Question.’ As a persecuted minority, we know all too well the importance of a strong ethnic studies education, but antisemitism does not belong in ethnic studies or anywhere in our classrooms. Teaching kids to hate Jews is a recipe for disaster and must be addressed, particularly now at a time of rising levels of antisemitism.”

Under the Brown Act, California’s open meeting law, school boards are required to make the public aware of upcoming agendas and plans so community members can provide input. The lawsuit requests that the court recognize that SAUSD violated the law by being covert, and hold them accountable for failing to control disruptive, aggressive behavior that targeted Jewish community members. Additionally, the lawsuit calls on the court to bar the school district from teaching courses that include antisemitic content and were unlawfully approved, and ensure the community has an opportunity to comment and raise objections before those courses are taught. Finally, plaintiffs further ask the court to require SAUSD to follow open meeting laws moving forward, so new ethnic studies courses are not approved without community input.

SAUSD’s illegal actions allowing antisemitic content to be taught in schools come at a time when [antisemitic attitudes](#) and [antisemitic incidents](#) are at historic levels. California saw a 51-percent increase in antisemitic harassment alone in 2022, and more than 500 incidents of harassment, vandalism and assault against Jews. And according to the FBI, Jews are the religious group most targeted by [hate crimes](#).

“Done right, ethnic studies prepare students to live in an increasingly diverse society. Done wrong, they can be divisive and discriminatory,” said Marc Stern, AJC Chief Legal Officer. “Public comment and debate are essential to devising a broadly acceptable ethnic studies

curriculum. Community input is not just important, it is also the law, one the Santa Ana district has blatantly violated. The district must open up its curriculum for public examination so families can ensure their children are receiving instruction in ethnic studies that emphasizes diversity rather than discrimination.”

“Ethnic studies has the power to foster inclusivity and cross-cultural understanding in California students during a time when antisemitism and other forms of hate are on the rise,” said Marci Lerner Miller, a partner at Potomac Law Group in the Education, Litigation and Government Investigation Practice Groups. “Through full transparency, we can ensure that ethnic studies courses are taught as lawmakers intended, without bias, bigotry, or discrimination.”

“StandWithUs is proud to partner in this important litigation in support of the Jewish community. Students deserve a proper education about marginalized minorities, not indoctrination based on misinformation and hate. Community members are entitled to the opportunity to fully participate in the process of the adoption of ethnic studies curricula, including the right to voice their views and concerns to their local school boards during that adoption process—not after it has already concluded. We are grateful to our partner organizations spearheading the litigation efforts and trust that the court will take the necessary steps to ensure that the ethnic studies curriculum ultimately used within SAUSD schools is in full compliance with the law,” said Carly Gammill, Counsel for Litigation Strategy, StandWithUs Saidoff Legal Department.

ADL, The Brandeis Center, AJC and Potomac Law Group serve as the plaintiffs’ counsel for this case. The StandWithUs Saidoff Legal Department is supporting the litigation as legal consultant.

*ADL is the leading anti-hate organization in the world. Founded in 1913, its timeless mission is “to stop the defamation of the Jewish people and to secure justice and fair treatment to all.” Today, ADL continues to fight all forms of antisemitism and bias, using innovation and partnerships to drive impact. A global leader in combating antisemitism, countering extremism and battling bigotry wherever and whenever it happens, ADL works to protect democracy and ensure a just and inclusive society for all. More at [www.adl.org](http://www.adl.org).*

***The Louis D. Brandeis Center for Human Rights Under Law** is an independent, unaffiliated, nonprofit corporation established to advance the civil and human rights of the Jewish people and promote justice for all. LDB engages in research, education, and legal advocacy to combat the resurgence of anti-Semitism on college and university campuses, in the workplace, and elsewhere. It empowers students by training them to understand their legal rights and educates administrators and employers on best practices to combat racism and anti-Semitism. The Brandeis Center is not affiliated with the Massachusetts university, the Kentucky law school, or any of the other institutions that share the name and honor the memory of the late U.S. Supreme Court justice.*

*AJC is the global advocacy organization for the Jewish people. With headquarters in New York, 25 offices across the United States, 14 overseas posts, as well as partnerships with 38 Jewish community organizations worldwide, AJC's mission is to enhance the well-being of the Jewish*

*people and Israel, and to advance human rights and democratic values in the United States and around the world.*

***Potomac Law** represents clients worldwide on a broad range of corporate matters, including public interest and high impact litigation. Headquartered in Washington, DC and with lawyers in 20 states, PLG is one of the fastest growing firms in the country. We serve as counsel to clients in a wide range of industries and developmental phases, from Fortune 100 companies to early-stage startups. Our value stems directly from the talent and commitment of our attorneys who have an average of seventeen years of experience at top national firms and/or in-house at major corporations.*

***StandWithUs** is an international, nonprofit, and non-partisan Israel education organization that works to inspire and educate people of all ages about Israel, as well as challenge misinformation and fight against antisemitism. Through university fellowships, high school internships, middle school curricula, conferences, materials, social media and missions to Israel, StandWithUs supports people around the world who want to educate their schools and communities about Israel. Founded in 2001 and headquartered in Los Angeles, the organization has chapters and programs throughout the U.S., Israel, the UK, Canada, South Africa, Brazil, Australia and the Netherlands.*

#####