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12 FAIR EDUCATION SANTA
13 BARBARA, INC.

14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
15 **COUNTY OF SANTA BARBARA**

16 FAIR EDUCATION SANTA BARBARA,
17 INC., a 501(c)(3) organization

18 Plaintiff,

19 vs.

20 SANTA BARBARA UNIFIED SCHOOL
21 DISTRICT, a public-school district; CARY
22 MATSUOKA, in his official capacity; and
23 JUST COMMUNITIES CENTRAL
24 COAST, INC., a 501(c)(3) organization,

25 Defendants.

Case No.: 19CV01875

**DECLARATION OF PETER D. SCOTT
IN SUPPORT OF PLAINTIFF'S
OPPOSITION TO DEFENDANTS'
SPECIAL MOTION TO STRIKE**

Date: September 17, 2019
Time: 9:30 AM
Dept.: 3

Date Filed: April 8, 2019
Trial Date: None Yet

[Assigned for all purposes to Hon. Thomas
P. Anderle, SB Dept. 3]

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DECLARATION OF PETER SCOTT

I, Peter D. Scott, declare and state as follows:

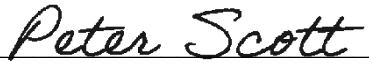
1. I am a partner in the law firm of Early Sullivan Wright Gizer & McRae LLP, counsel of record for Plaintiff Fair Education Santa Barbara, Inc. herein. I make this declaration in support of Plaintiff’s Opposition to Defendants Just Communities Central Coast, Inc. (“JCCC”), Santa Barbara Unified School District (“SBUSD”) and Cary Matsuoka’s Special Motion to Strike. I have personal knowledge of the matters set forth below and if called as a witness could testify competently thereto.

2. Attached hereto and labeled as **Exhibit A** is a true and correct copy of an email that I received that was sent to the SBUSD school board on or about August 30, 2019 from a concerned parent regarding Just Communities. For confidentiality and privacy reasons of the minor student affected, I have redacted the names of the parent and student in the exhibit as filed with the Court.

3. Attached hereto and labeled as **Exhibit B** is a true and correct copy of an excerpt from the Ed-Data website, which is run in partnership with the California Department of Education and which compiles certain data regarding California school districts, including without limitation SBUSD. The referenced Exhibit B displays the racial demographics of Santa Barbara Unified School District’s enrollees for the 2016-2018 school years and is available at www.ed-data.org/district/Santa-Barbara/Santa-Barbara-Unified.

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

Executed this 4th day of September, 2019 at Los Angeles, California



PETER D. SCOTT

EXHIBIT A

----- Forwarded message -----

From: [REDACTED]@gmail.com>

Date: Fri, Aug 30, 2019 at 1:02 PM

Subject: Just Communities (Talking in Class Program)

To: [REDACTED] <lcapps@sbunified.org>, <Kford@sbunified.org>, <Cmatsuoka@sbunified.org>, <wsims-moten@sbunified.org>, <Jreid@sbunified.org>, <rmunoz@sbunified.org>

Dear Board Members and Superintendent Matsuoka,

I am the parent of a student that attended Santa Barbara Junior High last year and who was offered to attend the Talking in Class program last spring taught by Just Communities. My son brought a form home for me to sign, to allow him to participate in this activity. I read it and thought what a wonderful opportunity for my son to be able to participate in discussions about uniting the relationship among all students in the school. Since both of my sons were very young, I have taught them to be respectful of everyone no matter their ethnicity, sexual orientation, social class or religion. My sons since very young have made friends with children from all over the world. I am quite proud of them as I believe this will open their horizons. Both of my sons have experience rejections from some Latino kids in elementary school and in the Junior High. These kids have told them in different occasions that they should leave their group as they are white. They both have felt hurt by this and I have told them to not stop being friends with the kids that accept them because of others rejecting them. This class Talking in Class sounded like a good opportunity for my oldest one to come up with solutions and to learn how to deal with these issues that he has experienced. To my surprise his experience with the program was awful.

The first day that he participated, he came home crying very upset saying that he hated being white. That white people were awful! "I can understand why some Latino kids don't like us" he would say. He also said to me: "Mom, for just a moment I truly felt like killing myself today". Me being from Spain and being a little over dramatic with expressions, I didn't give the killing myself statement much attention, but I certainly was shocked with him saying that he hated being white.

That night I talked to my husband who is American and who graduated from UCSB with one of his degrees being in Black Studies. When he heard my son's comments, he said to me, that I should never ignore someone when saying that they thought for a moment to killing themselves. That that is a very serious statement and that he had friends in the past that committed suicide. The next day I called the school and I reported it. I also called one of the people that was teaching Talking in Class and told her that [REDACTED] came home very angry saying that he hated being white and that for a moment, he thought of killing himself. I asked her what they talked in the class and her response to me was that yes, [REDACTED] was crying in class and that he said that he was a disgrace to his family. She asked me what was going on? I was shocked to hear that and paralyzed by the whole thing. I responded by saying that I did not understand and that my husband and I have always been very supportive of him but his had a hard life as when he was a baby he suffered a stroke.....

being a child and dealing with that has not been easy for him. This lady never told me what was taught in the class.

Couple of hours later the counselor from school called me and I went to see him immediately. I told him what happened and I asked him if he knew what was taught during Talking in Class. He said that he had no idea, but that whatever is taught in the school, I have the right to know about it. He also told me that he highly recommended to put [REDACTED] on therapy. I dropped everything and I started searching for a therapist. It took me a long time to find the right match for my son. He is still on therapy today and he is still saying sometimes that he hates being white. Also he told me that he felt he was a disgrace, because he did not speak Spanish and I was from Spain therefore he felt he was being disrespectful of me.

Spring Break arrives and [REDACTED] gets a text message on his phone from Just Communities inviting him to go hiking and a flyer where he is asked to bring a friend. Just Communities never texted me letting me know of such an invitation. My son is a minor. He is 14 years old. Just communities had my phone number, but I never gave them my son's phone number.

Summer arrives and once [REDACTED] is more relaxed, I asked him what was taught in Talking in Class. He explained to me that they showed the kids two graphs. The first one showed statistics about how white kids had a high probability of graduating from college, and how Latino kids a very low chance to make it. The other graph showed the different socioeconomic classes and the teacher asked the students where do each of them belonged in the graphs. Afterwards they talked about the injustices that Latinos go through. My son was devastated to hear that and he felt that he was the oppressor and that he was the problem to these kids.

I called Jarrod Schwartz who is the president of the organization Just Communities and I told him about [REDACTED] experience. He told me that when organizing the class, he asked SBJH what they wanted to focus on. He claimed that the school instructed him to focus on Latino kids. So he did and when his workers entered the classroom, they were shocked to find some white kids among the students. He said that the teachers had to change the curriculum as they went through the class. Personally, I was shocked to hear that these classes were taught differently depending of who attended them. Is that ethical? Is this uniting? Or causing trouble?

When School started again in August, I asked a staff member at the school if the school trained this group Talking in Class what they need to teach or if they supervise them. The response was not. They have nothing to do with their training.

Then I made an appointment with the principle at SBJH, Lito Garcia. I explained to him what happened and he said he was very sorry. He also told me that the second day of the program, he entered the class to thank the students for taking their time out of their classes to participate in Talking in Class. When he entered, he was approached by one of the teachers that told him how this class was very diversified and how they had to make changes to the curriculum. Lito Garcia was also shocked to hear that. His thoughts were also that the purpose of this class is to have diversification to help unite the students. He couldn't understand why they had to change the class based on who is in it. He said that he himself made it diversified in purpose.

I personally think that whatever is happening in those classes can be dangerous. Just think how participants that just arrived to this country, because their parents are looking for a better life for their family. How these participants hear from their parents how they need to take advantage of the opportunities that this country has to offer and that in school they hear from some teachers that they have a very small chance to graduate from college. Also how people are going to miss treat them for their ethnicity. I think that is cruel and devastating.

I signed my sons in public school to get a broad education and to learn to think critically, but I never sign them up for them to comeback telling me that they hate the color of their skin.

All the teachers that my sons have had in elementary school and at SBJH have been wonderful! They have pushed my sons and helped them to achieve their highest potential. I am extremely thankful of them. These teachers have been trained professionally to teach children and the curriculum has been supervised by the State of California. Please supervise the same way these organizations that come to the school and work with

our children. Also please inform in advance to all the parents that at the moment these organization's curriculum's are not being supervised by the district. Please don't allow another child to get hurt. It must be very painful as a child to hear a grown up telling them they have a very low chance to make it because of their ethnicity. All children deserve as much encouragement, support and love that we can give them.

Thank you so much!



EXHIBIT B

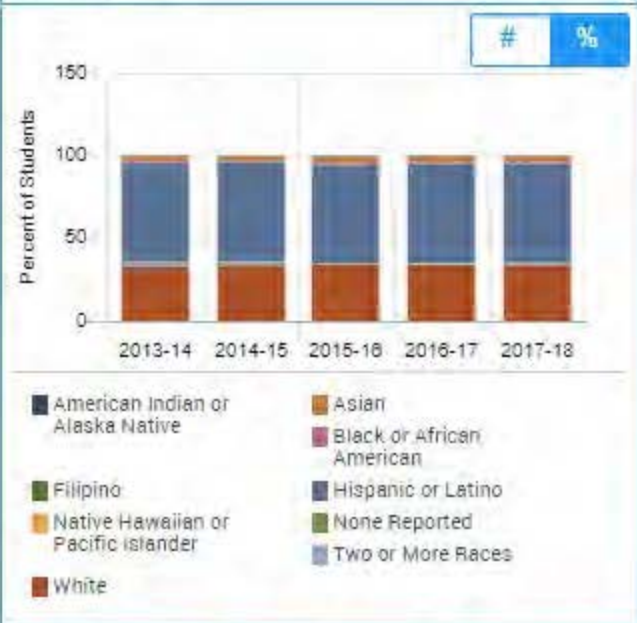
+ Demographics



Census Day Enrollment by Ethnicity

Santa Barbara Unified
 CDS Code 42-76786-0000000

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Census Day Enrollment by Ethnicity	2013-14	2014-15	2015-16	2016-17	2017-18
American Indian or Alaska Native	0.4%	0.4%	0.6%	0.5%	0.4%
Asian	2.8%	2.7%	3.5%	3.3%	3.2%
Black or African American	1%	0.9%	1.1%	1%	1%
Filipino	0.5%	0.5%	0.6%	0.6%	0.6%
Hispanic or Latino	59.5%	59.5%	59.1%	59.5%	59.4%
Native Hawaiian or Pacific Islander	0.1%	0.1%	0.1%	0.1%	0.1%
None Reported	0.6%	0.5%	0.3%	0.5%	0.5%
Two or More Races	2.4%	2.2%	0.4%	0.7%	1.2%
White	32.7%	33.3%	34.2%	33.8%	33.6%

[Chart Notes](#) [Source](#)

This graph displays the number of enrolled students by the federal race/ethnicity categories. *Note:* These counts do not include short-term enrollments.