



# SANTA BARBARA NEWS-PRESS

Friday, February 8, 2019

[Home](#) | [Local](#) | [Sports](#) | [Nation/World](#) | [Editorials](#) | [Opinions-Letters](#) | [Obituaries](#) | [Real Estate](#) | [Classifieds](#) | [Special Publications](#) | [Archives](#)

## Local

Home » Local



### Translate Website

 

Powered by [Google Translate](#)  
Powered by [Google Translate](#)

### Translate Website



Powered by [Google Translate](#)

## Parents continue federal fight with SB school district

By SCOTT STEEPLTON, NEWS-PRESS CITY EDITOR

February 8, 2019 5:58 AM

Share Story [facebook](#)

Calling teaching material asserting whites are racist whether they're conscious of it or not "unconstitutional indoctrination," a group of parents is asking a judge to keep alive their federal lawsuit to end a partnership between the Santa Barbara Unified School District and course creator Just Communities Central Coast.

In a \$300,000-per-year deal with the district, the nonprofit Just Communities Central Coast provides "professional development and training programs that address diversity, inclusion and equity in schools." Included is what's called implicit bias training along with access to Just Communities' Institute for Equity in Education, described as being "designed to help district and school administrators, board members, teachers, counselors, security personnel, all support staff, educational policy makers, and others who play a role in educating young people to effectively deal with the racial and ethnic disparities in their schools."

The organization says Fair Education Santa Barbara, a nonprofit that includes parents of children in the district, has no standing to sue and its lawsuit should be dismissed.

But in papers opposing that contention, attorney Eric Early argues that for a variety of reasons the attempt to dismiss the lawsuit is flawed. The issue will be heard by U.S. District Court Judge Stephen V. Wilson Feb. 25 in Los Angeles.

For James Fenkner, a 53-year-old father of three girls in the district and chairman of Fair Education Santa Barbara, the courses, which have cost the district more than \$1 million, do nothing to bridge the achievement gap and instead rob the district of money that could go toward hiring at least 10 teachers for a year.

Mr. Fenkner was founder and director of the onetime Russian hedge fund Red Star.

He spent 15 years in Russia before moving his family to Santa Barbara a decade ago, he told the News-Press on Thursday.

He also was a professor in the former Soviet Union with the Soros Foundation.

"When we taught there, you had very different historical backgrounds in the class," said Mr. Fenkner. "There were those that had really bad things happen to their families. And not 200 years ago, literally 50 years ago. You never would try to pit students against each other. It's the

### Related Stories

- House seeks 2nd term on Santa Barbara City Council : Businessman says he wants to build on success of first four years in the office  
ARCHIVE May 27, 2009
- Rogers' Royal Homecoming : Olympic gold medalist in beach volleyball returns to offer words of wisdom to current students  
ARCHIVE Oct 19, 2010
- Letters: Withdrawal dates taken to the max  
ARCHIVE Jun 10, 2008
- Santa Barbara County jobless rate plunges to 6 percent - Experts: Best numbers since recession indicate economic recovery  
ARCHIVE May 18, 2013
- Vote delayed on Santa Barbara Charter school  
ARCHIVE Nov 13, 2013
- Good Housekeeping seal goes green : Magazine taps local company to help with new initiative  
ARCHIVE Mar 10, 2009
- Gauchos look to stop jump-shooting Hawks  
ARCHIVE Dec 15, 2012
- Knights on a roll after Shield victory  
ARCHIVE Sep 30, 2012
- Public can give input on oil leases  
ARCHIVE Jul 28, 2004
- Opinion: DALE FRANCISCO  
ARCHIVE Nov 4, 2007

antithesis of education."

"You have to raise up the kids and teach them the subject matter," he added, "not say that, 'Well, this one doesn't understand the subject matter, so therefore it's because of the other one.' It's absolutely inappropriate."

But that's what the subject matter at the heart of the lawsuit is all about.

Fair Santa Barbara calls the material "exclusionary and discriminatory" and an "attempt to indoctrinate staff and students with a warped view of the world where racism can only be perpetrated by 'white people' and where the success of students in so-called 'privileged' groups is due solely to their 'unearned access to resources.'"

Instructional material used in Just Communities training sessions states "Privileged Groups" include "Men," "White People," "Christian People" and "Wealthy People" while "Target Groups" include "Women," "People of Color" and "Working Class & Poor."

Racism is described as "(a) system of oppression based on race that privileges white people and targets people of color."

The material also defines privilege as "(u)nearned access to resources that enhance one's chances of getting what one needs or influencing others in order to lead a safe, productive and fulfilling life."

Just Communities claims in one respect that Fair Education Santa Barbara has not pled any direct injuries to its members.

But case law cited by Mr. Early in the plaintiff's opposition papers states "there is ordinarily little question" that when a government action of which a plaintiff is an object "has caused (the plaintiff) injury ... a judgment preventing ... the action will redress it."

But the content of the courses is only one area of attack by Fair Education Santa Barbara. Awarding the contracts, said Mr. Fenkner, has been done "in a completely intransparent way, and in violation of an open bidding process."

In Russia, Mr. Fenkner and his wife tried to find top-notch education for their children.

"When my oldest daughter was in elementary school, we did what most parents do, we tried to get her in the best school possible," he said. "That school is Moscow School No. 175. Did a little research on it and realized that was also the school where Stalin put his daughter, Svetlana. And I thought to myself, 'This is not why we're here.'"

He called the Just Communities courses "straight-up racism. It's straight-up sexism. It's straight-up sectarianism."

"Their implied view is that all of the racism problems come from one particular group," Mr. Fenkner said. "I can tell you from being around the world, it's a problem of humanity, it's not one group. Same thing with gender. Same thing with religious affiliation. It's absolutely against the rule that America has put in place to protect people."

To make its point, Just Communities courses include physically separating participants into different racial groups, "requiring all individuals that JCCC perceives to be 'white' to be segregated in a separate room to receive instruction that differs from all perceived 'non-white' participants."

In these racially segregated sessions, "white" participants "are instructed that, whether they are conscious of it or not, all 'white people' are racist and collude to promote or perpetuate racism against non-whites."

Dissenters, according to the complaint, are branded racist.

"We came here because we wanted (our daughters) to be in a real American education system, one which was liberal in the traditional sense ... where people would have a voice and not use that voice to crowd out others," said Mr. Fenkner.

"What we've found, increasingly, is almost as bad as the one-party state environment in Russia."

email: [sstepleton@newspress.com](mailto:sstepleton@newspress.com)



**Home**  
**Local News**  
 Business  
 Celebrations  
 Columnists  
 Life  
 Sports  
 Scene

**Editorials**  
**Opinions & Letters**  
**Obituaries**  
**Travel**  
  
**Special Publications**  
 Parade Magazine

**Classifieds**  
 Place your Ad  
 Real Estate  
 Rentals  
 Employment  
 Announcements  
 Merchandise  
 Garage Sales  
 More

**Real Estate**  
 Finance  
 House & Home  
 Open Home Directory  
 Commercial Properties  
 Rentals  
  
**Archives**  
**Events Calendar**

**Site Index**  
 Weather  
 Traffic  
 Arrest Logs  
 RSS Feeds  
 Gas Prices

**Contact Us**  
 Contact News  
 Pay Your Bill  
 Advertising Information  
 Elected Representatives  
 TV Listings  
 FAQ  
 Front Page  
**Virtual Edition**

Follow us on:  Facebook  Twitter

All Content Copyright© 2018 Santa Barbara News-Press / Ampersand Publishing, LLC unless otherwise specified.  
 Legal | About Us