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Parents asks for halt on diversity curriculum

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A non-profit parents group is asking a federal judge to stop the Santa Barbara Unified School District from continuing their contract with its Just Communities Central Coast until their discrimination lawsuit is resolved.

On Monday Fair Education Santa Barbara filed a motion for preliminary injunction in the United States District Court of California's Central District.

Fair Education Santa Barbara filed a lawsuit against the school district and Just Communities in December 2018 alleging six counts of intentional discrimination on the basis of race, ethnicity, religion and sex as well as violation of California's laws requiring competitive bidding for government contracts.

Just Communities is a nonprofit organization that "offers cultural competency training to organizational leaders, education seminars for the general public, leadership training institutes for students and teachers, and customized consultation to local agencies for diversity and organizational change initiatives," according to its website.

The district has paid Just Communities more than \$1.3 million since 2013 for educational materials and faculty training on implicit bias, cultural proficiency and social equity.

Plaintiff's motion for preliminary injunction argues that the school district failed to open that contract to public bidding as required by the California Government Code.

Just Communities argues that their contract with the school district falls within a government code exception for "special services", but Fair Education SB contends that the code requires such services to be of a financial, legal or administrative nature. They also say Just Communities' services do not actually meet the code requirements for "special services."

Plaintiffs say that according to the California Fourth District Court of Appeal case *Jaynes v. Stockton*, such services must be "special," which is defined in the case as "unique, unusual out of the ordinary and 'extraordinary.'"

Plaintiffs say multiple other vendors could have provided the same or similar training and noted that similar programs are run by USC and UCLA.

"Here, no other providers were ever given a chance to present their programs, the

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services they provide and the cost of such training. The (Just Communities) contract was instead simply handed to (Just Communities) on a silver platter, likely due in large part to the numerous conflicts of interest existing between the Defendants."

Fair Education SB chair James Fenkner says the money spent on Just Communities' curriculum should have been invested into local schools directly.

"That money, over a million dollars. That's enough to pay a dozen teachers for a year. These contracts for these vanity projects by the (school district) are done in silence...and they haven't been able to produce one iota of substantive proof that anything they do improves the achievement gap."

Mr. Fenkner noted that in 2013 Just Communities did a study on how their programs were impacting student test scores and found minimal improvement.

"In some cases they actually went backwards," Mr. Fenker claimed.

"You can certainly make an argument that, money was diverted from the budget for this. If you want to teach a student math, teach them math."

Judge Stephen Wilson will consider the injunction motion and a defendant's' motion to dismiss the lawsuit on Feb. 25.

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