

November 1, 2024

Tamalpais Union High School District  
Superintendent Tara Taupier  
Trustees Leslie Harlander, Uhlhorn, Loebbaka, Roenisch, and Saavedra  
395 Doherty Drive  
Larkspur, CA 94939

Re: Piloted "Community and Consciousness" Course

Dear Superintendent Taupier and Tamalpais Union High School District Trustees,

Thank you for your dedicated service to our community's schools and children.

We are community members and parents with children in the district who have been closely following the roll out of Tamalpais Union High School District's (District) piloted 9<sup>th</sup> Grade "Community and Consciousness" class ("Course").<sup>1</sup> Following our review of public records received from the District, we are writing to request the district pause and redesign this class in light of its alarming elements. While Tamalpais' Course has many important lessons that students will benefit learning, content with significant concerns also is embedded throughout.

Importantly, as illustrated in detail in the following letter, the Course's lessons do not fully align with the Course Outline the District School Board approved February 2024 either.

Stanford University advises what a liberal education should focus on and what Ethnic Studies classes in particular should stress. Stanford University President Levin informed incoming freshman this Fall that "the university's purpose is not political action or social justice, it is to create an environment in which learning thrives."<sup>2</sup> Stanford Graduate School of Education Professor Thomas Dee, a chief K-12 Ethnic Studies investigator, has concluded from his research that Ethnic Studies courses should not emphasize victimhood but rather stress ethnic groups' cultural assets and capacity.<sup>3</sup> Stanford Professor Emeritus Albert Camarillo, the founder of Stanford's Center for Comparative Studies in Race and Ethnicity (Center), notes that Ethnic Studies is broader than just studying four ethnic groups and must include, as one example, Jewish Americans: "unquestionably ...you cannot talk about ethnic and racialized oppression unless you talk about the history of Jews in America and elsewhere."<sup>4</sup> (Stanford Center's program includes Jewish Studies.)

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<sup>1</sup> The Tamalpais Union School Board approved the "Community and Consciousness" course outline on February 6, 2024. [https://simbli.eboardsolutions.com/meetings/TempFolder/Meetings/Community%20and%20Consciousness%20COS\\_698079gggae003a2asnrdr1junw3g.pdf](https://simbli.eboardsolutions.com/meetings/TempFolder/Meetings/Community%20and%20Consciousness%20COS_698079gggae003a2asnrdr1junw3g.pdf) The school district shared the lessons being taught in this class in response to a California Public Records Act request.

<sup>2</sup> Inauguration address by Stanford President Jonathan Levin, September 27th, 2024  
<https://news.stanford.edu/stories/2024/09/inauguration-address-by-stanford-president-jonathan-levin>

<sup>3</sup> <https://www.kqed.org/forum/2010101872871/californias-ethnic-studies-curriculum-to-be-revised-after-draft-critiqued-as-too-p-c-and-anti-semitic>

<sup>4</sup> <https://www.youtube.com/watch?v=LgxBOyog5VI> (hour 1:20)

In that light, we hope you will adjust the Course to remove its indoctrination, add more ethnic groups including Jewish Americans, and recalibrate its balance away from a victim and activism focus to one that emphasizes the cultural assets and capacity of the groups studied so it matches best practices – before students enroll in the course this January. These revisions will also allow you to remove the Course’s many trigger warnings (see Course Overview below).

**Fortunately, there is time.** California’s Ethnic Studies requirement (AB 101) is in limbo; it has not been funded so likely is not operative.<sup>5</sup> Even if it eventually is funded, the first graduating class required under AB 101 to pass an Ethnic Studies course is the one entering as freshmen Fall 2026.

Below for your review is how the California Legislature intended school districts to frame their Ethnic Studies courses as well as global and lesson-by-lesson Course concerns (more details are available). Appendices put this Course in its theoretical and legal context.

### **California Legislature’s Intent**

While the California State Legislature has not directed the State Board of Education to set standards for Ethnic Studies courses, California legislators were very clear about the approach they expected local school districts to take: provide a “culturally relevant curriculum to help students appreciate the contributions of multiple cultures” by highlighting inclusivity, histories (that include struggles for equality), and agency so students know how to make positive change locally via “engaging in the responsibilities of citizenship.”<sup>6</sup>

The California Legislature added guardrails to counter troubling content appearing in some school districts’ Ethnic Studies courses: Ethnic Studies courses are (i) not to contain “bias, bigotry or discrimination” and religious doctrine, and (ii) to be appropriate for all pupils.<sup>7</sup>

In January, California Attorney General Rob Bonta sent a Legal Alert to school districts and their governing boards on Ethnic Studies, notifying them that they are to provide inclusive curricula on the “experiences and contributions of diverse communities in an appropriate manner” that is “balanced and sensitive” so all students “see’ themselves in the fabric of our state.” Underscoring the California Education Code’s requirements against bias, bigotry and discrimination in what schools teach, to combat harmful stereotypes school districts also “must always strive to present factual and unbiased information” and not teach content that reflects adversely on people in, or blame, racial and other groups, including in the curricula and instructional materials the district purchases from outside vendors.<sup>8</sup>

See Appendix for pertinent laws, standards and policies.

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<sup>5</sup> <https://www.fairforall.org/wp-content/uploads/2023/07/FAIR-AB-101-Memorandum-June-2023.pdf>

<sup>6</sup> California Assembly Bill 2016 (2016) preamble and legislative reports.  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160AB2016](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2016) (preamble and reports)

<sup>7</sup> California Assembly Bill 101 (2021).

<sup>8</sup> <https://oag.ca.gov/system/files/attachments/press-docs/Legal%20Alert%20Re%20Inclusive%20Curricula.1.9.24.1157CLEAN.pdf>

## **“Community and Consciousness” Course Overview**

The Tamalpais Course is not an introduction to Ethnic Studies course. Rather, it is a theoretical and political Race and Resistance Studies course akin to courses that a few colleges offer:<sup>9</sup>

- Less than 30% of the Course focuses on four groups (Unit 1: “Introduction to Ethnic Studies”).
- Over 70% focuses on students learning how to change power dynamics in order to dismantle America’s systemic institutional racism (Unit 2: “Systems of Power” and Unit 3: “Self-Empowerment for Civic Engagement (aka “resistance”)).

The Course begins by grounding students in their own identities.

With trigger warnings peppered throughout (e.g. the Ethnic Studies classroom can become “toxic” and evoke in students deep, painful feelings of anger and sadness “that can be harmful” to and result in personal rejection by students),<sup>10</sup> students in the Course are to be open to being vulnerable and revealing in class details of their personal privilege or oppression.

The Course not only redefines racism (teaches that only Whites can be racist due to their power and privilege), it teaches students a new concept of behavior (“Universe of Obligation”) and to become activists on behalf of the oppressed as defined in the Course, both locally and globally: “if you aren’t taking action, you are being acted upon.” (Unit 2, Lesson 1).

### **A. Global Concerns**

The following Course content is not appropriate for 9<sup>th</sup> graders, who are as young as 13 years old, and may violate California law and District policies:

1. Indoctrinates with political biases grounded in a critical race theory frame.

Critical race theory is a “radical,”<sup>11</sup> controversial theory that separates all people by race and views racism as permanent, endemic, and central to American society, with some influential theorists injecting an overlay that asserts that Whites do “all in their power to ensure their dominion and maintain their control.”<sup>12</sup>

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<sup>9</sup> See e.g. San Francisco State University Race and Resistance Studies department <https://ethnicstudies.sfsu.edu/race-and-resistance-studies> (“focuses upon ...how race-related discourses/practices create and perpetuate social problems [and] provides students with tools for examining how institutions oppress communities of color. Students explore ... forms of resistance [and] how domestic issues are shaped by transnational processes and how oppression and resistance are shaped by the intersections of race, ethnicity, class, gender and sexuality. *A new initiative—Arab and Muslim Ethnicities and Diasporas—is taking shape within RRS to further diversify and complement the curricular offering...*” (emphasis in original)).

<sup>10</sup> Course’s trigger warnings:

- Cautions that “tension and conflict in the classroom discussion...that is politically charged and personally offensive...can ... make the classroom environment toxic and can be harmful” (Unit 2, Lesson 2)
- Warns that the course “can bring up many unpleasant emotions such as .. anger...sadness” and “evoke deep and sometimes painful feelings” (Unit 2, Lesson 2)
- Calls for students to speak their truth, noting that this can be traumatic for them (Unit 1, Lesson 3)
- Tells students to select the privileged identity that makes them the “most uncomfortable,” noting tension is caused when “students grapple with their own privilege” adding that they “need to ...deal with [their] sense of discomfort and potential resistance or rejection from others” (Unit 2, Lesson 2)

<sup>11</sup> Stefanic and Delgado, “*Critical Race Theory: An Introduction*” (2012) at page 159.

<sup>12</sup> Bell, Derrick, “*And We Are Not Saved*” (1989) at page 159.

This Course teaches students to look at the world through this racial lens and learn that:

- (i) Privilege “influence[s] every aspect of life” (Unit 2, Lesson 2), and
- (ii) Oppression and inequality are hardwired (“structural”) (Unit 2, Lesson 3) “enduring features” (Unit 2, Lesson 1) of America,

a country built on racial hierarchies (Unit 2, Lesson 1) aka a “racial caste system.” (Unit 1, Lesson 5).

Students are taught their race’s obligations as individuals (i.e. Whites are to take personal risks to protect other races) and in collectives (i.e. organize to dismantle systemic racism).

See Appendix (Detailed Overview) for examples of the Course’s political biases.

2. Challenges students’ existing values (e.g. those instilled by family and religion).

It tells Whites to critique their values (including family structure and religion) (Unit 3, Lessons 1 and 2). It acknowledges that this can conflict with the values imparted by students’ families. For example, the Course states that students acknowledging their own privilege, as the Course directs them to do, “can feel like an assault on ...the values [students] grew up with” but notes that *unacknowledged* privilege “prevents us from exercising important values such as equality, fairness, justice and even kindness.” (Unit 2, Lesson 2).

3. Violates students’ privacy (i.e. directs students to reveal “sensitive” information about themselves (Unit 1, Lesson 4)). These 9th graders are as young as age 13.<sup>13</sup>

4. Risks student safety (i.e. calls for them to practice being emotionally vulnerable (Unit 1, Lesson 5)).<sup>14</sup>

It tells Whites to take “risks” for people of color (unspecific). (Unit 3, Lessons 1 and 2). The Course’s trigger warnings delineate the specific student harms that can unfold (see above). One class questionnaire appears to support pedophilia. Keep in mind, these students are as young as age 13.

5. Emphasizes groups that engage in civil disobedience and armed militancy.<sup>15</sup>

Several lessons are about the Black Panther Party, a revolutionary group that engaged in community and violent militant actions. It calls upon Whites to “co-conspire.” It suggests “armed resistance...to protect their community from the police” (Unit 1, Lesson 5).

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<sup>13</sup> Students are to “begin with personal investigation” of their privilege by putting themselves into the privilege/oppressed picture to see how these dynamics “play out in their own lives” and share examples of their privilege or oppression and answer a questionnaire posing personal questions (Unit 2, Lesson 2).

<sup>14</sup> Students are to answer a questionnaire that includes personal questions such as “I can be a sexual being” without others assuming my partner is a pedophile (Unit 2, Lesson 2).

<sup>15</sup> See Appendix (Detailed Overview, Units 1 and 3) for details.

6. Advances anti-authority (parents and police) positions.

The Course (i) imparts that adults exercise power “at the expense of children” (Unit 2, Lesson 2), and (ii) demeans the police i.e. refers to police as “pigs” (Unit 1, Lesson 3) who “find it necessary to subdue me” (Unit 2, Lesson 2) and states that “police are there to contain us, brutalize us, and murder us.” (Unit 1, Lesson 5).<sup>16</sup>

7. Singles out and negatively stereotypes Whites and others.

The Course tags the following as privileged: Whites, Christians, cisgender people, and males (Unit 2, Lesson 2). As for Whites, it defines racism as unidirectional: “the system that gives white people power and privilege at the expense of people of color” (Unit 2, Lesson 1) and includes a video of a White person saying that racism was built by White people” (Unit 1, Lesson 6).<sup>17</sup>

## **B. Lesson by Lesson Overview**

The Course’s lessons do not fully align with the Course outline the District School Board approved February 2024 either.

### **1. Unit 1: “Introduction to Ethnic Studies”**

Students learn about the history of Ethnic Studies and race, as well as stereotypes, zeroing in on their own identity first.

The Board-approved Course outline states, in part, that students will learn the “histories, stories and cultures of diverse racial and ethnic groups” including their “contributions to the development of the United States” as well as historic and current challenges these groups face.

What students learn in this unit, however, departs from, and goes beyond, what the Board directed in that students also learn (i) a “new concept of human behavior” – the “Universe of Obligation” – on determining “who is deserving of respect and whose rights are worthy of protection,” and (ii) largely politically-focused

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<sup>16</sup> Additional anti-authority.

Parents:

- Former Black Panther member proud to have defied her parents (Unit 1, Lesson 5)
- Acknowledging privilege “can feel like an assault on ...the values [students] grew up with” but *unacknowledged* privilege “prevents us from exercising important values such as equality, fairness, justice and even kindness.” (Unit 2, Lesson 2).

Police:

- Police officer saying that racism is part of the system (Unit 1, Lesson 6) and “communities of color often experience violence from law enforcement (Unit 2, Lesson 4)
- Content on the Black Panthers protesting “police violence and state oppression” and were “tragically” shot by the police, with the Panthers calling upon all Black people to arm themselves for self-defense against “racist dog policemen.” (Unit 3, Lesson 1)

<sup>17</sup> Additional anti-White content:

- Includes a Padlet as a resource that is replete with materials targeting Whites including book “*Not My Idea*” that states “whiteness is a bad deal, it always was” with a figure sporting a devil’s tail. It also has a resource about Christian privilege. (Unit 1, Lesson 1)
- “Lift the burden off the shoulders of black people of white supremacy...never let terrorists win” (Unit 1, Lesson 5) (White Supremacy is not defined; in liberated Ethnic Studies this term is a synonym for all Whites.)
- Bettina Love’s content that Whites must critique their White identity including religion (Unit 3, Lessons 1 and 2).

information on the following groups only: African Americans; Latino/a/x; Asian Americans, Native Hawaiians and Pacific Islanders; and Native Americans.

See Appendix (Detailed Overview, Unit 1) for details.

## 2. Unit 2: “Systems of Power”

Students learn about America’s systemic “privilege, power, oppression and intersectionality” (Marion Young’s Five Faces of Oppression) culminating in studying “oppression and its legacy in Marin County” e.g. restrictive covenants.

What students learn in this unit, however, departs from, and goes beyond, what the Board directed. For example, the Course does not include the following set out in the Board-approved Course outline: studying the “harmful impact of bias and injustice...including...antisemitism and Islamophobia.”<sup>18</sup> (Note: this unit’s summary modified the Board approved outline by adding that the “theme of Power...is a central focus of exploration throughout the unit.”)

See Appendix (Detailed Overview, Unit 2) for details.

## 3. Unit 3: “Self-Empowerment for Civic Engagement”

Students learn about resistance movements (aka “self-empowerment”) by studying historical examples and celebrating the success of marginalized groups that resisted economic, political, and social power and oppression. Students end the course addressing/resisting a current injustice in the community.

What students learn in this unit, however, departs from, and goes beyond, what the Board directed with its emphasis on the Black Panthers (a violent, militant group) and its anti-police and anti-America, pro-armed resistance, positions. (No guidance is provided on the law and consequences for violating it.) Martin Luther King and Rosa Parks were not included in the Course’s civil rights activists list. For the final, students learn that their own liberation is bound to the liberation of oppressed people and to engage in “collective action” on behalf of the oppressed.

See Appendix (Detailed Overview, Unit 3) for details.

Thank you for your careful consideration of the points raised in this letter.

We hope you will direct the District to substantially modify the Course so it aligns with Stanford University’s best practices and the California Legislature’s intent, removes the ideology, focuses on student acceptance and safety, and teaches them critical thinking skills as we’ve noted above.

Sincerely,

Tamalpais Community for Education

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<sup>18</sup> District staff’s February 2024 Ethnic Studies presentation to the school board included the Iranian Revolution and the “many people...fleeing oppression, war or genocide including...Assyrians and Jews” immediately prior to the Board’s Course approval. The Course does not include this content.  
[https://simbli.eboardsolutions.com/meetings/TempFolder/Meetings/Community%20%20Consciousness%20Board%20Overview%20February%206%202024%20Final\\_698080gggaee003a2asnrd1junw3g.pdf](https://simbli.eboardsolutions.com/meetings/TempFolder/Meetings/Community%20%20Consciousness%20Board%20Overview%20February%206%202024%20Final_698080gggaee003a2asnrd1junw3g.pdf)

## **Appendix: Detailed Overview of “Community and Consciousness”<sup>19</sup> Course Lessons**

### **A. Unit 1: “Introduction to Ethnic Studies”** (31% of course)

Students learn about the history of Ethnic Studies and race, as well as stereotypes, zeroing in on their own identity first.

The Board-approved Course outline states, in part, that students will learn about the “histories, stories and cultures of diverse racial and ethnic groups” including their “contributions to the development of the United States” as well as historic and current challenges these groups face.

What students learn, however, departs from, and goes beyond, what the Board directed in that students also learn (i) a “new concept of human behavior” – the “Universe of Obligation” – on determining “who is deserving of respect and whose rights are worthy of protection,” and (ii) largely politically-focused information on the following groups only: African Americans; Latino/a/x; Asian Americans, Native Hawaiians and Pacific Islanders; and Native Americans.

Lesson 2 (“Bridge Between Social Issues and C&C” – “Identity Chart”). Lesson on identity.

Lesson 3 (“Introduction to the History of Ethnic Studies”).

This lesson – referring to the “collective struggle” -- is an incomplete and revisionist history of the 1960s San Francisco State’s Third World Liberation Front (TWLF) and subsequent Ethnic Studies political movements and *omits*:

That the TWLF movement (i) was mounted by Black Panther Party members, (ii) demanded racial segregation and curriculum opposing capitalism, world imperialism, and white supremacy,<sup>20</sup> (iii) was a protracted extremely violent on-campus strike (including eight bombs planted on campus and two firebombs hurled at and into the home of an assistant to the president), and (iv) resulted in over 700 student arrests, 80 students injured, students expelled and suspended, and, ultimately, strikers’ unmet demands.<sup>21</sup>

James Banks’ approach to teaching Ethnic Studies set forth in his 1975 seminal book *Teaching Strategies for Ethnic Studies*<sup>22</sup> which was re-envisioned by the Ethnic Studies movement -- “the intellectual arm of the revolution” started by the Black Panther Party, its foundation.<sup>23</sup>

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<sup>19</sup> The Tamalpais Union School Board approved the “Community and Consciousness” course outline on February 6, 2024. [https://simbli.eboardsolutions.com/meetings/TempFolder/Meetings/Community%20and%20Consciousness%20COS\\_698079gggaee003a2asnrd1junw3g.pdf](https://simbli.eboardsolutions.com/meetings/TempFolder/Meetings/Community%20and%20Consciousness%20COS_698079gggaee003a2asnrd1junw3g.pdf) district shared the lessons being taught in this class in response to a California Public Records Act request.

<sup>20</sup> San Francisco State Black Student Union, “*Justification for Black Studies*” <https://www.columbia.edu/cu/ccbh/souls/vol2no3/vol2num3art2.pdf> (opposed “Liberal-Facist ideology and the “dominant ideology of capitalism, world imperialism and White supremacy”) (1968)

<sup>21</sup> Orrick (director of San Francisco State Study Team), “Shut It Down” (1969)

<sup>22</sup> <https://www.amazon.com/Teaching-Strategies-Ethnic-Studies-8th/dp/0205594271>

<sup>23</sup> BLM Grassroots Director and CSU Los Angeles Pan-African Studies Professor Melina Abdullah <https://www.talonmarks.com/news/2021/05/06/blm-la-cofounder-dr-melina-abdullah-talks-black-studies-and-social-movements/> and <https://www.youtube.com/watch?v=xYKbXaX0P0&t=1> (hour 1:50).



It includes a video<sup>24</sup> of private Ethnic Studies consulting firm Liberated Ethnic Studies Model Curriculum Consortium's co-founders Theresa Montano and Guadalupe Cardona. Montano and Cardona were members of the discredited California State Board of Education's Ethnic Studies Model Curriculum Advisory Committee; that committee's controversial 2019 California Ethnic Studies model curriculum recommendation was discarded after being harshly criticized for its politically biased and discriminatory content by Governor Newsom, State Board of Education President Darling-Hammond, and the public.<sup>25</sup> (Per Cardona, the foundational tenets all Ethnic Studies courses must advance are anti-West political positions, namely anti-capitalism, anti-imperialism, and anti-Zionism.<sup>26</sup>)

Lesson 4 ("The History of Race"). Its focus is on a "new concept of human behavior" – the "Universe of Obligation" -- where students learn about determining "who is deserving of respect and whose rights are worthy of protection."

Lesson 5 (African Americans): Its focus is on history (discrimination, culture, and activism/Black Panthers/resistance) and contemporary activism (Black Lives Matter (BLM)). It:

Advances the idea of neo-segregation (reverse Black migration South) to "reclaim state power" and figures such as revolutionaries Nation of Islam's Malcolm X and the Black Panther Party's Huey Newton.

Inaccurately portrays BLM as an organic and leaderless movement fighting racial discrimination. (BLM's leaders refer to their movement as organized, ideological and religious -- "a radical Black organization grounded in abolitionist ideals"<sup>27</sup> led by "trained organizers [and] trained Marxists"<sup>28</sup> that is also spiritual.<sup>29</sup>) See also associated Movement for Black Lives.<sup>30</sup>

Provides an incomplete and revisionist portrayal of the Black Panther Party too (e.g. omits its violence, crimes, and grounding in Marxist-Lenin ideology).

In contrast has a 1-1/2 minute video on Blacks' cultural, athletic and civil rights contributions to the development of the United States. (Contrast this 1-1/2 minute video to the time spent on Black Panthers and BLM.)

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<sup>24</sup> <https://www.youtube.com/watch?v=VaH0vvp6eW8&t=126s> (Montano: "before Ethnic Studies there was no purpose to education")

<sup>25</sup> <https://edsources.org/2021/a-final-vote-after-many-rewrites-for-californias-controversial-ethnic-studies-curriculum/651338>

<sup>26</sup> [\(20+\) Facebook Live | Facebook](#) (December 13, 2023) (min 39)

<sup>27</sup> <https://twitter.com/disclosetv/status/1711771317463085461>

<sup>28</sup> <https://therealnews.com/pcullors0722blacklives> ("We [BLM] actually do have an ideological frame. Myself [Cullors] and Alicia [Garza] in particular are trained organizers. We are trained Marxists. We are super versed on ideological theories.")

<sup>29</sup> [https://www.facebook.com/watch/?v=291479432259187&external\\_log\\_id=0ee02942-79f1-43af-b2af-0ad47a71ad19&q=fowler%20museum%20at%20ucla](https://www.facebook.com/watch/?v=291479432259187&external_log_id=0ee02942-79f1-43af-b2af-0ad47a71ad19&q=fowler%20museum%20at%20ucla) (Abdullah: "at its core it is a spiritual movement")

<sup>30</sup> <https://m4bl.org/about-us/> ("We believe that prisons, police and all other institutions that inflict violence on Black people must be abolished ... We believe in transformation and a radical realignment of power... we are anti-capitalist. ... Black people will never achieve liberation under the current global racialized capitalist system.")



Lesson 6 (Latino/a/x): Its focus is on history (discrimination and activism) and current (immigration, people of significance, and the “sea change” in Latino American culture). It:

Advances a new definition of racism stating that racism “can only exist [when people] hold power/privilege”

Stereotypes races via New York Times narratives of individuals representing their race.

Promotes journalists’ reporting “with your heart”

Lesson 7 (Asians, Hawaiians and Pacific Islanders): Its focus is on history (discrimination immigration, national security, gentrification, and imperialism/colonization in the Philippines and Hawaii). It:

Focuses on contemporary immigration policies it says impact immigrants’ “rights and liberties” and violate America’s human rights principles.

Has limited information on these groups’ culture and contributions to the development of the United States.

Lesson 8 (Native Americans): Its focus is on history (land loss and assimilation).

Its content on the group’s culture and contributions is in the context of activism (“rebel music” and activist art).

## **B. Unit 2: “Systems of Power” (31% of course)**

Students learn about America’s systemic “privilege, power, oppression and intersectionality” via political theorist Marion Young’s Five Faces of Oppression, culminating in studying “oppression and its legacy in Marin County” e.g. restrictive covenants.

What students learn in this unit, however, departs from, and goes beyond, what the Board directed. For example, the Course does not include the following set out in the Board-approved Course outline: studying the “harmful impact of bias and injustice...including...antisemitism and Islamophobia.”<sup>31</sup> (Note: this unit’s summary modified the Board approved outline by adding that the “theme of Power...is a central focus of exploration throughout the unit.”)

Lesson 1 (Examining Power, Privilege, Oppression and Intersectionality): Its focus is on the importance of being aware of privilege and oppression. It states that:

Oppression and inequality are “enduring features of US society” where privilege “influence[s] every aspect of life,” noting that even education’s role as an equalizer is “unsettled.”

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<sup>31</sup> Staff’s February 2024 presentation to the school board included the Iranian Revolution and the “many people...fleeing oppression, war or genocide including...Assyrians and Jews” immediately prior to the Board’s Course approval. This Course does not include this content.  
[https://simbli.eboardsolutions.com/meetings/TempFolder/Meetings/Community%20%20Consciousness%20Board%20Overview%20February%206%202024%20Final\\_698080gggae003a2asnrd1junw3g.pdf](https://simbli.eboardsolutions.com/meetings/TempFolder/Meetings/Community%20%20Consciousness%20Board%20Overview%20February%206%202024%20Final_698080gggae003a2asnrd1junw3g.pdf)

America is embedded with racial and gender hierarchies, defining racism as “the system that gives white people power and privilege at the expense of people of color.”

Students are to:

- Acknowledge their own oppression or privilege
- Identify groups (i.e. the rich) which hold power (fill out the Course's Power Chart), and then
- Build up and exercise their own power to undermine all forms of inequality by engaging in “allyhood behaviors” in friction” with “dominant ideologies” of individualism and meritocracy.

Lesson 2 (Understanding the Five Faces of Oppression): Its focus is on learning political theorist Marion Young’s structural, systemic oppressions frame – exploitation, marginalization, powerlessness, cultural imperialism, and violence – and then applying it to real world examples in the school and local community. It:

- Advances that oppression is structural, rejecting individual responsibility
- Offers a resource that quotes Karl Marx on Socialism that tags capitalism a form of oppression.

Lesson 3 (Historical Case Study of 5 Faces of Oppression): Teachers assign 2 or 3 case studies from set list (e.g. slavery, Jim Crow, Civil Rights movement, Holocaust)

Lesson 4 (Five Faces of Oppression Today): Its focus is on systemic racism with students selecting topics to research (such as global refugee crisis, sex trafficking, cultural appropriation) where they will ID where “powerlessness is used...to maintain the status quo and perpetuate oppression.” It:

- States that “communities of color often experience violence from law enforcement...and unequal treatment [in] criminal justice system”
- Has students find patterns that shape society and apply this analysis to address “current global challenges” too.

Lesson 5 (Restrictive Covenants in Marin): Its focus is on how historic policies (i.e. redlining and restrictive covenants), though outlawed, have had lasting impact on oppressed groups’ health, housing opportunities, wealth accumulation, and socio-economic disparities. It:

- Does not address how oppressed groups overcame these restrictions (i.e. US Supreme Court, Jews)
- Provides anecdotal, not statistical, support.

Lesson 6 (Power of Youth): Its focus is on inspiring youth for “revolutionary thinking...ignit[ing] revolutions [and] advocating for new political ideologies”

Lesson 7 (Five Faces in Documentary “13<sup>th</sup>): Its focus is on exploitation and marginalization of, and violence against, Blacks.

### C. Unit 3: “Self-Empowerment for Civic Engagement” (38% of course)

Students learn about resistance movements (aka “self-empowerment”) by studying historical examples and celebrating the success of marginalized groups that resisted economic, political, and social power and oppression. Students end the course addressing/resisting a current injustice in their community.

What students learn in this unit, however, departs from, and goes beyond, what the Board directed with its emphasis on the Black Panthers (a violent, militant group) and its anti-police and anti-America, pro-armed resistance, positions. (No guidance is provided on the law and consequences for violating it.) Martin Luther King and Rosa Parks were not included in the Course’s civil rights activists list. For the final, students learn that their own liberation is bound to the liberation of oppressed people and to engage in “collective action” on behalf of the oppressed.

Lesson 1 (“Types of Resistance”): This lesson’s guiding quote: former Black Panther Angela Davis’ “I am no longer accepting the things I cannot change. I am changing the things I cannot accept.” Its focus is on students learning types of resistance ranging from education to civil disobedience and armed militant action.<sup>32</sup> No guidance is provided on the law and consequences for violating it.

Teachers teach:

- Activist Bettina Love’s video and book.<sup>33</sup>
  - Racism is “every moment of every day”
  - “The world tells [Blacks] that you are disposable and do not matter”
  - Whites, to not be complicit in this violence and injustice, must dismantle their privilege: critique their White identity (including their family and religion) and take personal risk for and defer to people of color, and
- “Self-empowerment” methods that include civil disobedience (school walkouts) and armed militant resistance (using 17 year old Black Panther Jackson who, “armed to the

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<sup>32</sup> [https://docs.google.com/document/d/1Qd-pqjKH1qiWPKFhGRRk08yx6\\_kSb8bmp5LgNEcFY/preview?tab=t.0](https://docs.google.com/document/d/1Qd-pqjKH1qiWPKFhGRRk08yx6_kSb8bmp5LgNEcFY/preview?tab=t.0)

<sup>33</sup> <https://www.c-span.org/video/?c4804332/user-clip-conspirators> (Love: “use your whiteness...take risk for somebody, put something on the line, [and] come to the table with something more”).

Love, Bettina, “Abolitionist Teaching” chapter in book *“We Want to Do More than Survive”*

#### [White] Coconspirators

- “Recognize that you are living a racialized life and you’re having racialize experiences every moment of every day” (page 119)
- “Name Whiteness and its privileges [is] who you must become” (page 119). The “groundwork of coconspirators” is “talking about Whiteness....serious critique and reflection on one’s sociocultural heritage—which includes identities related to race, ethnicity, family structure, sexuality, class, abilities, and religion – taken side by side with a critical analysis of racism, sexism, White supremacy, and Whiteness” (page 118)

#### Black Joy

- “The world tells [Blacks] that you are disposable and that you do not matter.” “Black joy is a celebration of taking back your identity as a person of color” (page 120)
- “Dismantling White privilege is giving something up so Black folx can win....silencing your White voice so dark folx’ voices can be heard [with] equal or more weight” (page 121)
- “If folx with privilege are not using their privilege to demand justice and advocate for dark folx and all their identities, then they are complicit [and] condoning injustice, violence, and the educational survival complex.” (page 121)

See *also* Love’s -- whose self-professed mission is to “radicalize teachers” -- stated aim of “destroying capitalism ...our freedom dream, it’s part of our long-term goal” in “Abolitionist Teaching and the Future of Our Schools” <https://www.youtube.com/watch?v=uJZ3RPJ2rNc> (1:14, 1:27-28) (not in Course materials)

teeth,” protested “police violence and state oppression” by storming the Marin County Courthouse and taking hostages with weapons allegedly supplied by Angela Davis, a confrontation that ended with Jackson “tragically” shot by the police).<sup>34</sup>

Course original source materials include the Black Panther Party’s “10 Point Plan”/manifesto that calls (i) for a school curriculum “that exposes the true nature of this decadent American society,” and (ii) upon “all Black people [to] arm themselves for self-defense [against] racist dog policemen.”

Lesson 2 (“Case Studies of Resistance”): Its focus is on researching and celebrating people who fight systems of oppression with a civil rights activist list that *includes* militant revolutionaries -- Nation of Islam’s Malcolm X; Black Panthers Huey Newton, Bobby Seale and Angela Davis; Black Power movement’s Stokely Carmichael; Corky Gonzales;<sup>35</sup> and Reies Lopez Tijjerina (“led an armed takeover”)<sup>36</sup> -- **but omits Martin Luther King and Rosa Parks**.<sup>37</sup> It again has the content from abolitionist activist Bettina Love that racism is pervasive every moment of every day, Blacks are downtrodden, and Whites who do not want to be complicit must critique their White identity and defer to and take risks for people of color.<sup>38</sup>

Lesson 3 (“Final Assignment: Making Change”): This lesson’s guiding quote: “if you have come [to me] because your liberation is bound up with mine, then let us work together.” Its focus is on the Course final that directs students to recognize the need for collective action, use what they learned:

- levers of power,
- the Universe of Obligation, and
- how to resist i.e. student activism including civil disobedience and militant action (e.g. radical Stokely Carmichael’s SNCC and violent San Francisco State student strike), and then “address/resist a current injustice.”

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<sup>34</sup> [https://docs.google.com/document/d/1NoipbvCQJts-mi\\_kuo169Ln4RKi7iBJvnXJJFoeA6HE/edit?tab=t.0](https://docs.google.com/document/d/1NoipbvCQJts-mi_kuo169Ln4RKi7iBJvnXJJFoeA6HE/edit?tab=t.0)

<sup>35</sup> Gonzalez advanced the *Plan Espiritual de Aztlán* manifesto calling for revolutionary Chicano nationalism.

<sup>36</sup> Tijjerina, a land-back activist, was imprisoned for his involvement in a courthouse raid.

<sup>37</sup> <https://docs.google.com/document/d/1e4XUTLW5eetJ5QAQoNuZVyZ5yKvwb6wAOIYTzcgRIfl/preview?tab=t.0>  
Another resource is a 1-1/2 minute video assemblage of 20 famous Blacks including Martin Luther King.

<sup>38</sup> See footnote 33.

## **Appendix: Overview of Course & Critical Theory**

The Ethnic Studies discipline is represented by a spectrum of approaches from positive factual lessons intended to develop students' compassion for and understanding of many diverse ethnicities to politically radical content that presses students to adopt a mindset and pushes them into activism in order to advance specific political aims (also referred to as critical or liberated Ethnic Studies).

The difference is summarized in this primer written by former California State Superintendent of Public Instruction Bill Honig.<sup>39</sup>

### **Course's Liberated, Critical Theory Foundation**

Tamalpais Union's "Community and Consciousness" course ("Course") is political education, also called liberated Ethnic Studies. It is focused on White privilege and power and oppression of communities of color with all coming together to resist via activism.

Its hallmarks are (i) a critical theory analysis employing critical race theory and colonialism/post-colonialism theory taught as "truths" (not critical thinking), and (ii) a teaching pedagogy (method) focused on activism.

One of the Course's lessons contains a video of controversial private Ethnic Studies consultant the Liberated Ethnic Studies Model Curriculum Consortium (LESMC), with LESMC's brand logo and its co-founders Theresa Montano and Guadalupe Cardona presenting.<sup>40</sup> LESMC is a key corporation behind the political K-12 liberated Ethnic Studies movement.<sup>41</sup> It is the corporate form of the grassroots activist group the Association of Raza Educators (ARE) spin-off from revolutionary group Union del Barrio. ARE is also led by Montano and Cardona and has as its core advancing teachers using critical pedagogy when teaching students and developing students into activists.<sup>42</sup>

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<sup>39</sup> <https://edsource.org/2022/california-schools-should-opt-for-inclusive-ethnic-studies/674538>

<sup>40</sup> <https://www.youtube.com/watch?v=VaH0vvp6eW8&t=126s> (Montano: "before Ethnic Studies there was no purpose to education")

Montano and Cardona were members of the discredited California State Board of Education's Ethnic Studies Model Curriculum Advisory Committee whose controversial 2019 Ethnic Studies model curriculum recommendation was discarded after being harshly criticized by Governor Newsom, State Board of Education President Darling-Hammond, and the public. <https://edsource.org/2021/a-final-vote-after-many-rewrites-for-californias-controversial-ethnic-studies-curriculum/651338>

<sup>41</sup> <https://www.liberatedethnicstudies.org/multicultural-vs-ethnic-studies.html> See e.g. University of California Santa Cruz Center for Racial Justice website listing LESMC as "political education." ([crjucsc.com](http://crjucsc.com))

<sup>42</sup> <https://www.razaeducators.org/> ("Committed to using education as a tool for the liberation of our community [by] developing critical anti-racist liberation curriculum... education is the first step in creating consciousness that leads to action...we have to practice social justice in every facet our lives... to advance a critical social and political consciousness among our students [to] take effective action against politicians, corporations, political organizations, and state institutions responsible for the oppression of our community.")

Montano and Cardona are clear: Ethnic Studies courses must be grounded in critical race theory.<sup>43</sup> According to Cardona, the foundational tenets all Ethnic Studies courses must advance are anti-West political positions, namely anti-imperialism, anti-capitalism, and anti-Zionism.<sup>44</sup>

See footnote for political education that other political activist groups deem essential too. <sup>45</sup>

### Critical Theory Defined

As the overview of the lessons above reveals, this Course is grounded in critical race theory and to an extent colonialism/post-colonialism theory.

Critical theory is a set of theories that “critique society with the aim to emancipate and transform it in ways aligned with movements (social and political) that scorn structures of domination and specific modes of thinking (i.e. patriarchy, white supremacy, neocolonialism and Eurocentrism).”:

Critical Race Theory, influenced by Karl Marx, debunks “the idea that the law and the state are neutral institutions that secure the common good and the rights of all,” concepts which mask that the law and state instead are “instruments of racial (and class) oppression, as evidenced by massive and persistent inequalities that systematically disadvantage Blacks in the US in particular and racialized populations ...from access to education, health, jobs, and housing to the risk of becoming a victim of police violence.” It concludes that “radical emancipation would therefore require developing entirely different visions of living together in freedom and solidarity [free of] capitalism [because it] provides a structural basis for racial oppression.”

Colonialism and Post-colonialism Theory present “a universal history [that is centered] in modern Europe [and now where] capitalism and of modern European and North American societies are constitutively entangled with colonialism, imperialism, and their afterlives.”

Stanford University, “Critical Theory” <https://plato.stanford.edu/entries/critical-theory/#CritTheoToda>

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<sup>43</sup> Montano, et al “Yes, Critical Race Theory Should Be Taught in Your School,” <https://www.uclalawreview.org/yes-critical-race-theory-should-be-taught-in-your-school-undoing-racism-in-k-12-schooling-and-classrooms-through-crt/> (2022)

<sup>44</sup> (20+) Facebook Live | Facebook (December 13, 2023) (min 39)

<sup>45</sup> Democratic Socialists of Association, “Five Reasons We Need Political Education” <https://education.dsusa.org/2022/03/12/five-reasons-we-need-political-education/> (“we need all our chapters to be hubs for political education [to] develop[e] shared language, understanding, and a vision [and] above all else political education makes us better organizers”)

Prison abolitionist group Critical Resistance, “Political Education,” <https://criticalresistance.org/popular-education-overview/> (we “study... together [to] achieve collective liberation [understanding] its relationship to capitalism and imperialism [via] critically examining how the world works, past and present, so that we can change it. Unlike popular education, with political education, there are clear, agreed upon truths [and] an approach...to how we study and engage in principled struggle ...developing organizing skills and moves in order to shift power”)

## **Appendix: Pertinent Laws, Standards & Policies**

On January 9, 2024, the California Department of Justice disseminated a Legal Alert to all California school district Superintendents and trustees. In addition to reminding them of their legal obligations, it stated the following with respect to Ethnic Studies (excerpts):

Ethnic studies offers a chance to combat harmful stereotypes and open up new avenues for understanding and tolerance, but it requires diligence and care in presenting the cultures of different peoples and the teaching of sometimes controversial or divisive subjects. Such subjects should not be avoided, but approached in a balanced and sensitive manner to ensure that all students “see’ themselves in the fabric of our state.”

Schools must always strive to present factual and unbiased information whether discussing communities or countries.

They must take care that in presenting diverse perspectives they do not end up discriminating against other groups or communities.

Due to the unfortunate recent rise in antisemitism and Islamophobia, educators must be attentive to the discrimination these communities are facing [and not] blame any racial, ethnic, or religious group for the actions of a government.

Noting that this is a “core priority,” the Attorney General’s Office reminded school districts that it has the power to investigate, emphasizing that it will not hesitate to “use its enforcement powers as needed if governing bodies ... institute ethnic studies courses that do not meet the Education Code requirements.”<sup>46</sup>

### **A. California Law**

The California Supreme Court underscored the importance of schools offering an objective, apolitical education to counter “the development of sophisticated techniques of political propaganda,” noting that “education plays an increasingly critical role in fostering ‘those habits of open-mindedness and critical inquiry which alone make for responsible citizens, who, in turn, make possible an enlightened and effective public opinion.’”<sup>47</sup>

A California Court of Appeals, citing the US Supreme Court, stated that “‘there is a legitimate and substantial community interest in [schools] promoting respect for authority and traditional values be they social, moral, or political.’” School Boards cannot impose a “‘pall of orthodoxy’ ...in the propagation of a particular religious or ideological viewpoint” or “‘in politics...or other matters of opinion.’”<sup>48</sup>

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<sup>46</sup> <https://oag.ca.gov/system/files/attachments/press-docs/Legal%20Alert%20Re%20Inclusive%20Curricula.1.9.24.1157CLEAN.pdf>

<sup>47</sup> *Hartzell v. Connell*, 35 Cal.3d 899, 908 /679 P.2d 35, 41 (Apr. 20, 1984) (quoting *Wieman v. Updegraff*, 344 U.S. 183, 196 (Dec. 15, 1952) (conc. opn. of Frankfurter, J.).

<sup>48</sup> *McCarthy v. Fletcher* (1989) 207 Cal.App.39, 130 citing *Board of Education v. Pico*, 457 U.S. 853, 864; *Pratt v. Ind. Sch. Dist. No 831 Forest Lake*, 670 F. 2d 771, 776 (8<sup>th</sup> Cir.); and *West Virginia State Board of Education v. Barnette* (1943) 319 U.S. 624, 642.



## California Constitution

Article I, Section 7(b): A “class of citizens may not be granted privileges or immunities not granted on the same terms to all citizens.”

Article I, Section 31(a): “The State shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting. *[(f)...‘State’ shall include... school district...]*

Article IX Section 8: “...nor shall any sectarian or denominational doctrine be taught, or instruction thereon be permitted, directly or indirectly, in any of the common schools of this State.”

Article XVI, Section 5: No school district “shall ever make an appropriation, or pay from any public fund whatever, or grant anything to or in aid of any religious sect, church, creed, or sectarian purpose”

## California statutory law

### 1. General

“No person in the State of California shall, on the basis of sex, race, color, religion, ancestry, national origin, ethnic group identification, age, mental disability, physical disability, [or] medical condition . . . be unlawfully denied full and equal access to the benefits of, or be unlawfully subjected to discrimination under, any program or activity that . . . is funded directly by the state, or receives any financial assistance from the state.”<sup>49</sup>

“All pupils have the right to participate fully in the educational process, free from discrimination and harassment” and “California’s public schools have an affirmative obligation to combat racism, sexism, and other forms of bias, and a responsibility to provide equal educational opportunity”<sup>50</sup>

“No person shall be subjected to discrimination on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance, or enrolls pupils who receive state student financial aid.”<sup>51</sup>

### 2. Parents

“The parents and guardians of pupils enrolled in public schools have the right . . . to have a school environment for their child that is safe and supportive of learning”<sup>52</sup>

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<sup>49</sup> Government Code Section 11135(a)

<sup>50</sup> Education Code Section 201(a) and (b)

<sup>51</sup> Education Code Section 220

<sup>52</sup> Education Code Section 51101(a)(7)

### 3. Teachers

Must “endeavor to impress upon the minds of pupils the principles of morality, truth, justice, patriotism, and a true comprehension of the rights, duties and dignity of American citizenship, and the meaning of equality and human dignity, including the promotion of harmonious relations...the humane treatment of living creatures, to teach them to avoid ...falsehood, and to instruct them in manners and morals and the principles of a free government.”

Are encouraged “to create and foster an environment that encourages pupils to realize their full potential and that is free from discriminatory attitudes, practices, events, or activities, in order to prevent acts of hate violence...”<sup>53</sup>

### 4. Instruction

“A teacher shall not give instruction and a school district shall not sponsor any activity that promotes a discriminatory bias on the basis of race or ethnicity, gender, religion, disability, nationality, or sexual orientation, or because of a characteristic listed in Section 220.”<sup>54</sup>

“Instruction in social sciences shall include ... a study of the role and contributions of...Native Americans, African Americans, Latino Americans, Asian Americans, Pacific Islanders, European Americans... and members of other ethnic, cultural, religious... groups, to the economic, political, and social development of California and the United States of America, with particular emphasis on portraying the role of these groups in contemporary society.”<sup>55</sup>

### 5. Instructional materials

Governing boards “shall not adopt any textbooks or other instructional materials for use in the public schools that contain any matter reflecting adversely upon persons on the basis of race or ethnicity, gender, religion, disability, nationality, or sexual orientation, or because of a characteristic listed in Section 220.”<sup>56</sup>

Requires instructional materials to:

Be ‘aligned to the content standards adopted by the State Board.’<sup>57</sup>

“Accurately portray the cultural and racial diversity of our society, including...the role and contributions [of] ethnic and cultural groups to the total development of California and the United States.”<sup>58</sup>

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<sup>53</sup> Education Code Section 233.5

<sup>54</sup> Education Code Section 51500

<sup>55</sup> Education Code Section 51204.5

<sup>56</sup> Education Code Section 51501

<sup>57</sup> Education Code Section 60119

<sup>58</sup> Education Code Section 60040

Be “accurate, objective, and current and suited to the needs and comprehension of pupils at their respective grade levels”<sup>59</sup>

Bans instructional materials that (i) reflect adversely on races, ethnicities, religion, nationalities and other groups, and (ii) contain sectarian or denominational doctrine or propaganda<sup>60</sup>

#### 6. Ethnic Studies

Provides that high school Ethnic Studies courses are not to contain “bias, bigotry or discrimination” or religious doctrine, and are to be appropriate for all pupils. The stated intent is that school districts not use the portions of the California Ethnic Studies Model Curriculum draft that were not adopted due to bias, bigotry and discrimination concerns.<sup>61</sup>

#### 7. Questions posed to students

Bans questionnaires and the like given to students “containing any questions about the pupil’s personal beliefs or practices in sex, family life, morality, and religion... unless the parent or guardian of the pupil is notified in writing [and] gives written permission”<sup>62</sup>

### **B. California State Board of Education Social Content Standards**

The California State Board of Education (SBE) Social Content Standards<sup>63</sup> elaborate, stating that California public schools must:

- avoid “adverse reflection” (i.e. stereotypes),
- “portray [people] accurately [with their] roles and contributions” (“particularly prominent minority persons should be included and discussed”),
- “include such groups in the mainstream of U.S. life,” and
- “identify them as Americans.”

It noted that the purpose of the Social Content Standards is to “project the cultural diversity of society,” “instill in each child a sense of pride in his or her heritage,” “develop a feeling of self-worth related to equality of opportunity,” and “eradicate the roots of prejudice” in order to “encourage the optimal individual development of each student.”

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<sup>59</sup> Education Code Section 60045

<sup>60</sup> Education Code Section 60044. See also Education Code Section 51501.

<sup>61</sup> California Assembly Bill 101 (2021) codified in Education Code Section 51225.3(a)(1)(G)(v) and (vi).

<sup>62</sup> Education Code Section 51513

<sup>63</sup> <https://www.cde.ca.gov/ci/cr/cf/lc.asp>

### **C. Tamalpais Union High School District Board Policy 6144**

#### **Board Policy 6144:**

"The Board of Trustees believes that students should have opportunities to discuss controversial issues which have political, social or economic significance and which the students are mature enough to investigate and address. The study of a controversial issue should help students learn how to gather and organize pertinent facts, discriminate between fact and fiction, draw intelligent conclusions, and respect the opinions of others.

The Board expects teachers to exercise caution and discretion when deciding whether or not a particular issue is suitable for study or discussion in any particular class. Teachers should not spend class time on any topic which they feel is not suitable for the class or related to the established course of study.

The Board also expects teachers to ensure that all sides of a controversial issue are impartially presented, with adequate and appropriate factual information. Without promoting any partisan point of view, the teacher should help students separate fact from opinion and warn them against drawing conclusions from insufficient data. The teacher shall not suppress any student's view on the issue as long as its expression is not malicious or abusive toward others.

Teachers sponsoring guest speakers shall either ask them not to use their position or influence on students to forward their own religious, political, economic or social views or shall take active steps to provide opposing or differing points of view."