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The parents were right: Docume show discrimination against Asi American students

BY ERIN WILCOX AND ASRA Q. NOMANI, OPINION CONTRIBUTORS — 01/17/22 11:00 AM EST THE VIEWS EXPRESSED BY CONTRIBUTORS ARE THEIR OWN AND NOT THE VIEW OF THE HILL

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TWEET

The parents were right all along, and now they have the proof.

In the fall of 2020, school board members in Fairfax County, Va., were busily debating how best to racially engineer the admissions process for Thomas Jefferson High School for Science and Technology (TJ). For months, members of the grassroots Coalition for TJ — most of them Asian American immigrant parents of current or hopeful TJ students — witnessed public meetings in which board members and school officials attacked their community in coded language.

Board members and school officials complained that TJ's student body, which was more than 70 percent Asian American, wasn't "representative" of northern Virginia. They worried that the school's race-blind admissions test failed to capture the "talent" for which the board was looking, and derided the school's culture as "toxic."

The coalition parents knew officials were hiding behind these buzzwords to disguise their real agenda: to racially balance the student body at TJ. In the board's view, TJ had too many Asians, which demanded changes to the admissions process to give school district officials more power to exclude Asian American students, thereby engineering a student body that would be more to their liking.

But the parents couldn't prove the changes were intended to discriminate

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— that is, until text messages and emails between board members became public this past month in a federal lawsuit.

Now they have the evidence. The communications shared between board members show they were aware that their changes to the TJ admission process would discriminate against Asian Americans; that board members had little confidence in Superintendent Scott Brabrand's leadership; and that the process to change admissions standards was rushed, sloppy and manipulated to achieve the board's preferred end of racial balancing in the student body.

One particularly damning text exchange between board members Abrar Omeish and Stella Pekarsky left no doubt that they understood the TJ admissions change would be an attack on Asian American students:

Pekarsky: "It will whiten our schools and kick [out] our Asians. How is that achieving the goals of diversity?"

Omeish: "I mean there has been an anti asian feel underlying some of this, hate to say it lol."

Omeish may have thought the "anti-Asian feel" worthy of a "lol," but the hundreds of Asian American kids whose dreams of getting into TJ have been crushed, because their skin color is "wrong," aren't laughing.

In another text to Omeish, Pekarsky blasted Brabrand's leadership in unsparing terms:

"Brabrand believes in getting attention. This is how he screwed up TJ and the Asians hate us."

When Omeish asked if she believed the superintendent's bias against Asian Americans was deliberate, Pekarsky replied: "Came right out of the gate blaming them."

Omeish wrote that she thought he was "just dumb and too white to [get] it."

For parents who doubted Brabrand's seemingly hostile approach to their concerns, there is some vindication in knowing that board members shared their doubts, though only in private communications.

Other texts and emails reveal board members obsessed with language games (board member Karen Corbett Sanders insisted that the policy changes were "not eliminating merit but rather reframing our understanding of merit") and "controlling the narrative" regarding the controversial process of watering down admission standards at TJ. Evidently board members were more concerned with massaging the public relations problem than with addressing the substantive questions and objections that parents raised about the discriminatory effect of the new admissions policy on Asian American students. (The full compilation of board communications is available online at the TJ Papers.)

The documents show what TJ parents believed: The new admissions process was meant to target Asian American students, and school board members knew what they were doing. Yet they voted unanimously in favor of eliminating merit-based, race-blind admissions tests. That is not just wrong — it's illegal. The Constitution's Equal Protection Clause is a promise that our government, including public schools such as TJ, will treat all citizens as individuals and not members of a racial group.

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The Coalition for TJ, represented by Pacific Legal Foundation, is <u>fighting in federal court</u> to hold the Fairfax County School Board accountable to that promise. Now that parents' concerns are validated by the publication of the unfiltered thoughts of board members and school district officials, it's time for their legal case to be vindicated in court.

Erin Wilcox is an attorney with <u>Pacific Legal Foundation</u>, which litigates nationwide to achieve court victories enforcing the Constitution's guarantee of individual liberty. Follow her on Twitter <u>@ErinWilcoxPLF</u>.

Asra Q. Nomani is a vice president of the grassroots organization <u>Parents Defending Education</u> and cofounder of <u>Coalition for TJ</u>, which advocates for diversity and excellence at Thomas Jefferson High School for Science and Technology in Fairfax County, Va.

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