

Testimony

Asra Q. Nomani

Parents Defending Education | Vice President of Investigations and Strategy
Coalition for TJ | Cofounder

House Judiciary Committee

Subcommittee on the Constitution, Civil Rights and Civil Liberties

“Discrimination and the Civil Rights of the Muslim, Arab,
and South Asian American Communities”

Tuesday, March 1, 2022

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

**She later texted:
"...They're discriminated against in this process too."**

Exhibit J, Coalition for TJ vs. Fairfax County School Board et al



Biography – A former reporter for the Wall Street Journal born in India and raised in West Virginia, Asra Q. Nomani is the vice president for strategy and investigations at Parents Defending Education, a national nonprofit. She is also cofounder of Coalition for TJ, a grassroots group of parents and community members in northern Virginia, codirector of the Pearl Project, advocating for justice for her colleague and friend Daniel Pearl, and cofounder of the Muslim Reform Movement, advocating for peace, tolerance and women’s rights. She is a former professor in the practice of journalism at Georgetown University. A single mother, she is an outspoken advocate for children and education.

The New Racism: ‘anti asian ... lol’

WASHINGTON, D.C. – Just across the Potomac River this past Sunday, a group of parents gathered on a back deck in northern Virginia to celebrate our victory against systemic racism. We were South Asian and Chinese. Muslim and Hindu. Mothers and

fathers. We [represent families](#) who are Asian, black, Hispanic and multiracial – from over 30 countries around the world.

But we did not face off against a white supremacist organization.

The perpetrators in this drama are none other than the very school officials we have entrusted with our children’s education and well-being. (Appendix 1)

My testimony is a clarion call about a new racism that is being perpetuated in America – by illiberal activists and ideologues in the name of “progressivism” – against South Asians, Muslims and Arabs – the subject of this hearing – but also so many, many others including East Asians, Hindus and others – *all* of whom we must care about as defenders of justice – and all of whom should really be included in this hearing. It confounds me why Asians east of South Asia are being excluded from this hearing. Why Muslims are particularly identified in this title, as are Arabs, but Hindus and the many other religions and ethnicities of the region are not. This sectarianism raises many questions.

For us, as parents something transcendent connects us: our value in education.

Our children have attended Thomas Jefferson High School for Science and Technology in Fairfax County, Virginia. U.S. News and World Report has designated it the No. 1 high school in America. State and local officials created it in 1985 as a magnet for some of the brightest young minds in northern Virginia in the areas of science, technology, engineering and mathematics – or STEM. TJ, as it is affectionately known, was largely white at the beginning because of the demographics of the time. But as more Asians, Arabs and other immigrants moved to the area, in part for technology work, the demographics switched and the school’s population is now 70% Asian, 10% Black, Hispanic and multiracial, and 20% white.

In the winter of 2008, I arrived in northern Virginia as a single mother with my son, then five years old. Virginia had just voted for President Obama and I thought the state was finally progressive enough for a minority like me. In the summer of 1969, I had immigrated to the United States at the age of four as a Muslim girl, my father earning his Ph.D. at Rutgers University. We went through lean times as my parents worked tirelessly at low-paying jobs so that my dad could complete his studies. I attended a fully integrated Martin Luther King Elementary School in Piscataway, N.J., and ate free breakfast for low-income children. I learned English reading *Nancy Drew*. I learned along the way that America was a generous nation, welcoming of strangers like us who appreciated and embraced its values of generosity, hard work and plurality. I worked at the *Wall Street Journal* for 15 years before writing books and teaching journalism.

In 2017, we learned that my son, who had a gift for math and science and honed those gifts with study and discipline, had been accepted for admission to TJ. Walking through the halls of TJ was the realization of the American Dream for not just our family but so many families.

But on Sunday, June 7, 2020, after the tragic murder of George Floyd, we received a shocking email from the principal of our school, Ann Bonitatibus. (Appendix 2)

A white woman, she told our mostly Asian, mostly immigrant families we had to check our “privileges.” She told us we had to reconsider our mascot, the Colonials. And most dramatically of all, she said we needed to change admissions to the school so it would reflect the racial composition of the students of Fairfax County to increase a “diversity” that did *not* include us.

I implore you to think about your own journey and discovery of race and economic advantage in America. My parents never had to teach me about what it means to be white. I never have had to worry that someone would look at the color of my skin and think I either may not be smart enough to learn or I should be exceedingly smart in a certain subject. No one has surveilled me in a store while shopping, or locked their cars or front doors out of fear when seeing me in their neighborhood. While I did not come from a family with economic means, the color of my skin has given me privileges that others do not have. Please think of privileges you hold that others may not.

Allow me to share with you our 2020 school directory.

Let me read you some of the names: Kaur – like our witness Amrith Kaur Aakre at the Sikh Coalition.

Chen. Patel. Singh. Jagannathan. Siddiqui. Jain. Verma. Ali. Ahmed. Kim. Lee.

Families whose rights you are trying to protect with this hearing.

What are our “privileges”?

TJ mother Suparna Dutta arrived with dollars in her pocket to get an education in Knoxville, Tennessee. Yuyan Zhou stood in Tiananmen Square to fight communist oppression before arriving in the U.S. When she was a child growing up in China during the Cultural Revolution, her teacher had her stand up in class because her parents had fallen out of favor with local authorities. She was forced to remove a red scarf that was a symbol of her young status in the Communist Party.

Our families and students were on the wrong side of brown for the new so-called “social justice warriors” and “equity warriors.”

School board officials, state politicians and local activists all aligned with the Democratic Party launched a campaign to change admissions to TJ with one clear racial goal: to increase the number of black and Hispanic students at any cost – even institutionalized racism against Asians.

The insults from these so-called progressives came in heaps. We were called “white adjacent.” We were disparaged as “resource hoarders” because our kids took up too many

slots. One local member of the Virginia PTA board and NAACP later said, “Let them die!” about parents like us. She had to resign her Virginia PTA post.



Virginia Education Secretary Compares Test Prep to Using Illegal 'Performance Enhancement Drugs'

1,622 views • Sep 13, 2020

6 DISLIKE SHARE SAVE ...

Atif Qarni, the Virginia education secretary under Gov. Ralph Northam, [told our Asian American parents](#) in complete seriousness that test preparation is equivalent to illegal “performance enhancement drugs” by athletes. In other words, we and our kids were corrupt.

Oh, and there was our school board — most of them white, all of them endorsed by the Fairfax Democratic Party. For resisting their campaign to destroy this gem of meritocracy, we were branded as “toxic,” “racist” and even “white supremacist.”

The white Superintendent Scott Brabrand revealed his virulent anti-Asian bias when he laid out race-based goals that purged the school of Asian kids. He told our mostly Asian families that our students were benefiting from alleged “pay-to-play” schemes for which he never gave any evidence.

Meanwhile, Asians were being targeted with brutal violence from New York City to San Francisco.



Retired FCPS Teacher Singles Out Students from India and Calls Parents "Ravenous"

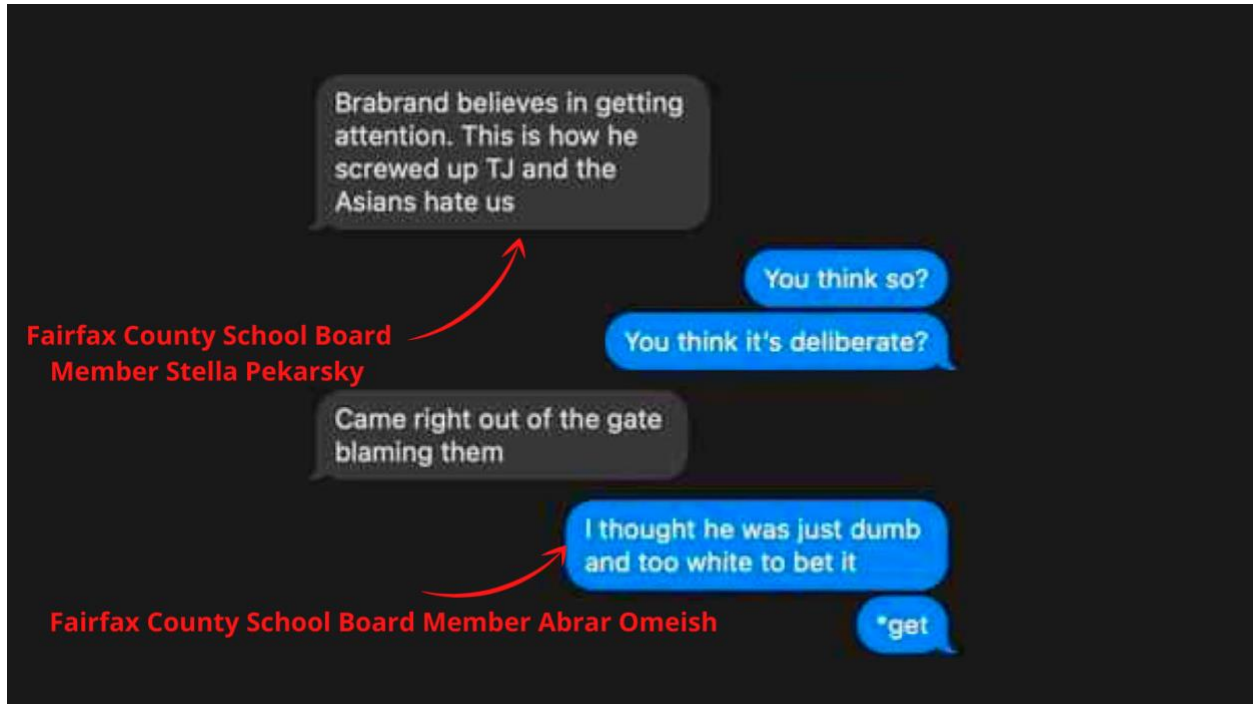
We heard the [hurtful testimony](#) from one retired teacher, who is white, promoted by Virginia Democratic lawmaker Scott Surovell, who is also white, telling us that our Indian parents are “ravenous” about academics.

The board members betrayed the liberal principles that my family has embraced our entire lives. Our children were now the inconvenient minority to the narrative of “systemic racism” with which ideologues were trying to define all of America.

Despite our protests, in December 2020, the board scrapped TJ’s race-blind, merit-based admissions process and put in place a new race-based process whose goal was clearly aimed at drastically reducing the number of Asian students in attendance.

A board member, Stella Pekarsky, said in a text message: “the Asians hate us.”

That’s what we had become to them. “The Asians.”



Parents with names like Himanshu Verma, Harry Jackson and Julia Ying McCaskill warned board officials they would go down in history for perpetuating the same kind of systemic discrimination condemned in *Brown v. Board of Education*.

It was also clear the perverse message these illiberal powers were sending: hard work, study, parental involvement, discipline are actually racist, evil and even symbols of white supremacy.

We know that is not true. They are bedrocks of well-functioning schools, well-functioning societies and well-functioning children.

We, the parents, organized a grassroots group called Coalition for TJ and we filed a federal lawsuit with the legal team at Pacific Legal Foundation. In federal court, we alleged the new admissions process is a violation of the 14th Amendment, which guarantees equal protection under the law.

Last Friday afternoon, the verdict arrived.

“WE WON!” the email read from our lawyer, Erin Wilcox, the daughter of a teacher.

Federal district Judge Claude Hilton ruled that the school board, the admissions director, the principal and the superintendent had installed a “system” that is racist and discriminatory against Asians.

He said “the Board defaulted to a system that treats applicants unequally in hopes of engineering a particular racial outcome.”

He said: “The Board instituted a system that does not treat all applicants to TJ equally.”

What is that? That is systemic racism.

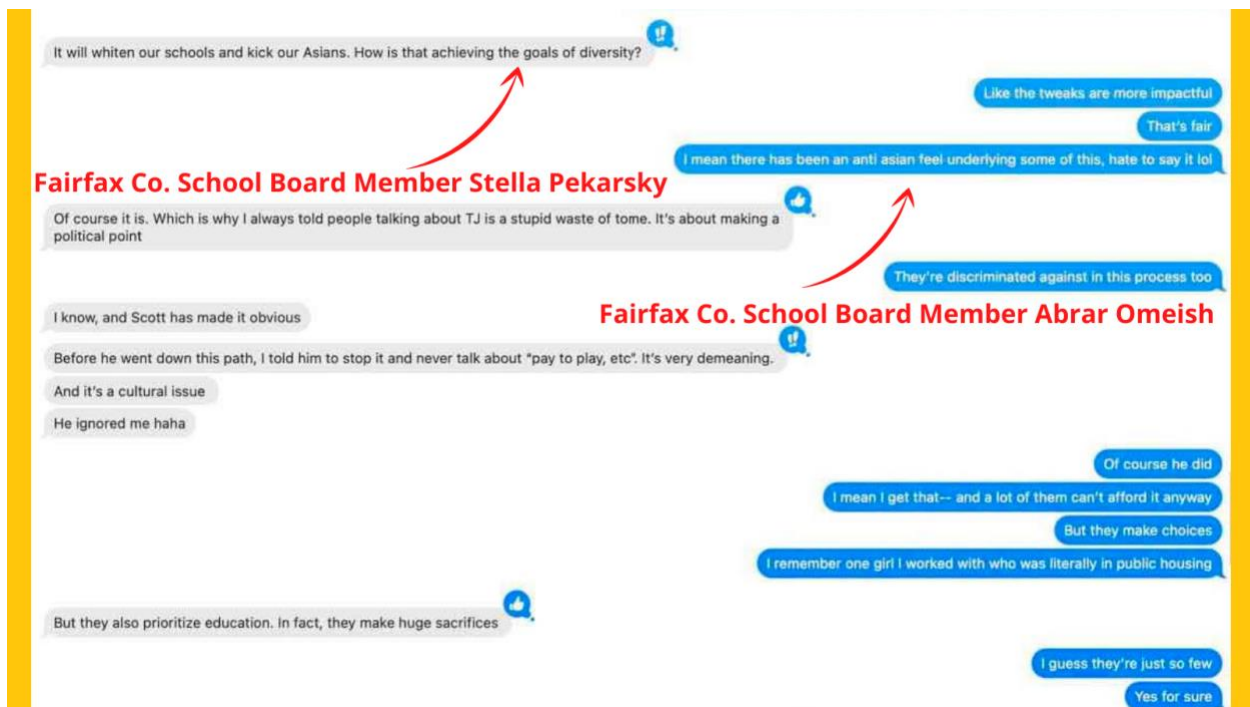
He said this was “racially balancing” and that it is “unconstitutional” and “illegal.”

What is even more disturbing?

The board knew it was being racist.

In the fall of 2020, board member Stella Pekarsky said in a text that the new admissions process would “kick ou[t] Asians.”

School board member Abrar Omeish responded the new process was “anti asian...hate to say it lol.”



LOL. Laugh out loud.

She continued: “They’re discriminated against in this process too.”

Well, anti-Asian discrimination is no joke. Racism is no laughing matter.

At Parents Defending Education, which I helped start inspired by my lived experience at my son’s school, we have documented a pattern of discrimination and racism repeating itself

around the country with a targeted hit on Asian students in higher education and K-12 schools.

Next session, the Supreme Court will hear a case of anti-Asian discrimination by Harvard University and the University of North Carolina at Chapel Hill. Parents in New York City's Stuyvesant High School and the city's advanced academic programs constantly fight anti-Asian campaigns to remove merit-based admissions.

In 2020, the Boston school board installed zip code quotas in to target Asian students at the Boston Latin School. In 2021, the San Francisco school board replaced merit-based admissions to Lowell High School with a lottery, reducing the number of Asian admissions and inspiring the recent recall of three Democratic school board members with a resounding majority of almost 80% of voters.

One of those school board members, Alison Collins, once [disparaged](#) Asians as “house n****r” and “the help.”



Now she is trying to needle me on Twitter for my advocacy work.

[According](#) to FBI data, anti-Asian hate crimes rose 73% between 2019 and 2020. New York City saw a 361% increase. It's said COVID contributed to this spike. But we have something even more diabolical happening.

In the name of “equity,” a national network of illiberal activists and ideologues stoke bias against Asians, an inconvenient minority to be white-washed and shamed. In late 2020, North Thurston Public Schools in Washington state, Asian students were [not recognized](#) as “students of color” and lumped in with white students.



This is something you must understand. We are unapologetic in our defense of our children — and all children. We are hard-working enterprising contributors to America who understand education is the great equalizer. Our Coalition for TJ families overcame cultural fears of retaliation to speak out. Nobody gets in between a parent and a child's education.

We are mama bears and papa bears in today's parents' movement.

We oppose the new movement called “equity” that has become a Trojan horse for racism. One of the architects of antiracism, Ibram X Kendi, [wrote in his book](#), *How to Be an Antiracist*, “The only remedy to past discrimination is present discrimination.”

That is unacceptable. That is illegal. That is unconstitutional.

We cannot replace the old hierarchy of human value with a new hierarchy of human value. We cannot woke-wash racism and bigotry.


The United States Constitution — and common sense — tell us that a just society requires equality of opportunity, regardless of race, ethnicity, gender or social status.

“Equity” is a divisive, illiberal system fundamentally at odds with this ideal, because it preaches that there is a quota of opportunities for every group; children are now shamed and judged for their skin color, not their hard work or the content of their character.


Unfortunately, that is exactly what is happening with the new philosophies that have become ingrained in our school systems. You can assign one of many names to this

phenomenon. Critical race theory. Culturally responsive pedagogy. Antiracism. Diversity, equity and inclusion. Magical unicorn theory.

By any name, it is racism.




| TYPE OF OPPRESSION | PRIVILEGED SOCIAL GROUP | BORDER SOCIAL GROUPS | OPPRESSED SOCIAL GROUPS | SOCIAL IDENTITY CATEGORY |
|-------------------------------|--------------------------------------|-------------------------------------|---|--------------------------|
| RACISM | White People | Biracial People | Asian, Black, Latina/o, Native People | Race |
| SEXISM | Male assigned at birth | Intersex People | Female assigned at birth | Sex |
| TRANSGENDER OPPRESSION | Gender conforming CIS- men and women | Gender ambiguous CIS- men and women | Transgender, Genderqueer, Intersex People | Gender |
| HETEROSEXISM | Heterosexuals | Bisexuals | Lesbians, Gay men | Sexual Orientation |
| CLASSISM | Rich, Upper Class People | Middle Class People | Working Class, Poor People | Class |
| ABLEISM | Able-bodied People | People with Temporary Disabilities | Disabled People | Ability/Disability |
| RELIGIOUS OPPRESSION | Protestants | Roman Catholic (historically) | Jews, Muslims, Hindus, Sikhs | Religion |
| AGEISM/ADULTISM | Adults | Young Adults | Elders, Young People | Age |



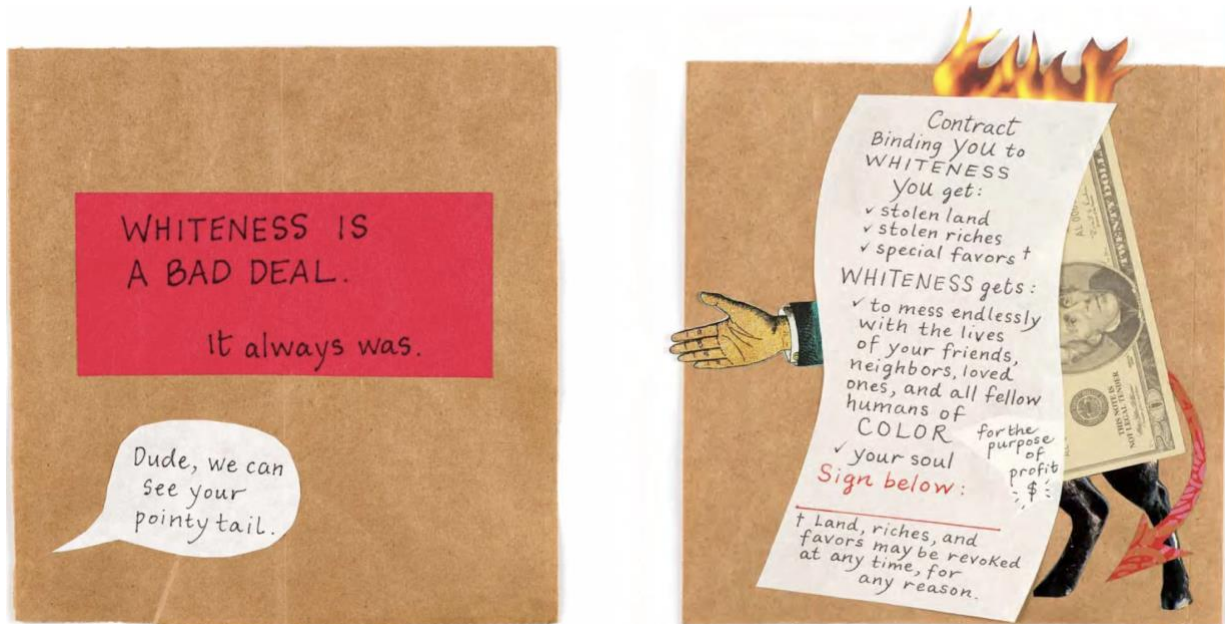
Identifying Your Privilege

| | | | | |
|-----------------------------------|---|---------------------------|----------------------------------|----------------------|
| Native English Speaker | Both Parents Went to College | Never Worried about Food | Drive/Get Driven to School | Employed |
| Comfortable Walking Outside Alone | White | Parents are Married | Born in Country of Residence | No Speech Impediment |
| Heterosexual | Christian | FREE SPACE | Feel Safe Around Police Officers | Mentally Healthy |
| College is the Expectation | Never Been Racially Profiled | Feel represented in media | Able-Bodied | Military Kid |
| Have your own Bedroom | Involved in Extra Curricular Activities | Cisgender | Never lost a loved one | Male |



It is a bigotry not only against Asians but anyone who is out of favor in the “[Oppression Matrix](#).” Or “[Privilege Bingo](#),” as children must now play in schools, shaming even the “Military Kid.” It teaches a culture of victimhood to the groups that this hearing is addressing – Arabs, Muslims and South Asians – placing us in a perpetual state of being “oppressed.”

I have here this book, *Not My Idea*, read to kindergarteners, that states, “Whiteness is a bad idea.” The book compares “whiteness” to a contract with the devil. You can see here the pointy tail of the devil.



We are up against a machine that is promoting systemic racism.

Some of our country’s biggest civil rights organizations, like the NAACP Legal Defense Fund, are participating in this discrimination, saying they were “appalled” at the judge’s decision making anti-Asian discrimination illegal. They virtue signal with hashtags like #StopAsianHate but they turn a blind eye to the very real practices of anti-Asian discrimination that is making our children in schools the target of systemic racism.

Ours is a community everyone should take seriously.

When the all-Democrat school board ignored and belittled Suparna Dutta, she became a leader in a parents’ coalition for Glenn Youngkin, supporting the Republican nominee for the Virginia governor’s race. She helped get him elected.

If illiberal progressives continue to ignore the legal and moral ramifications of what their harmful, racist policies are doing to school children – then they should look at the political optics of their actions. In San Francisco, in Fairfax County and Loudoun County, Virginia,

and in dozens of states in between, parents – many of them Asian, Muslim and Arab – are forging a movement against the new, race-based hierarchy of human value.

Yesterday, an Egyptian Coptic Christian father wrote to me from Michigan, distressed about a sectarianism he thought he had left behind in Egypt now taught in his daughter's elementary school, as white children are shamed for their "whiteness." Last night, another father from India in Montgomery County, Maryland, wrote to us at Parents Defending Education, saying his daughter is being sexually harassed by boys but the school is turning a blind eye, as school officials play identity politics.

"Montgomery County Public Schools bureaucrats have been criminally contemptuous of our daughter's pain and our parental angst," he wrote, "and have gladly thrown our sweet little Indian girl under the bus, even though her outstanding teachers, across all races, were always supportive of our efforts."

We are Democrat, Republican and independent. We are the party of parents. For expressing our voices, as you know, the National School Board Association accused parents in fall 2021 of "domestic terrorism" and, in an unprecedented move, U.S. Attorney General Merrick Garland dispatched the FBI against parents.

Former New York City mayor and Democratic presidential candidate [Michael Bloomberg](#) recently warned that Democrats are "headed for a wipeout" in the [midterm elections](#) this November if the party does not take an "immediate course correction" that prioritizes quality education over "political correctness" and fighting "culture wars." Democrat James Carville said "wokeism" led to the defeat of Democratic candidate Terry McAuliffe in the Virginia governor's race. After the San Francisco recall, Democratic advisor David Axelrod said that the Democratic party has to listen to parents.

Before you dismiss them as white men trying to protect the status quo, know that a movement of parents – including Asian, immigrant, Black and Hispanic parents – feel the same way.

New discrimination as an answer to old discrimination is wrong for our children and wrong for our country. Politicians and education officials should heed these warnings and advance policies that remove politics, political correctness, and racist lessons from classrooms.



On Sunday, when our mama bears and papa bears gathered on Suparna's back deck to celebrate, the judge's decision ending systemic racism against Asian kids, I pulled out from my bag a silk scarf I had been saving for our mom Yuyan Zhou ever since she shared with me her childhood story of her red scarf removed.

We thanked her for everything that she has done for not only our country's Asian American children but *all* children, because in equality, all of society progresses, and I tied the scarf over her shoulders, tears of joy falling from Yuyan's eyes.

I thank the committee for the opportunity to be heard today and I welcome your questions.

Appendix 1

In March 2021, a coalition of parents, students, alumni, and community members filed a lawsuit, Coalition for TJ v. Fairfax County School Board, challenging admissions changes at Thomas Jefferson High School for Science and Technology (TJ). Pacific Legal Foundation represents the Coalition for TJ in the case, filed in the United States District Court for the Eastern District of Virginia, Alexandria Division.

Link to the decision: <http://pacifical.org>
<http://coalitionfortj.net>

In a 31-page ruling released on Friday, Feb. 25, 2022, federal Judge Claude Hilton ruled that Fairfax County school officials violated the law by changing admissions requirements at the nation's top public school to deliberately reduce the number of Asian-American students enrolled. Judge Hilton granted the Coalition's motion for summary judgment, giving them a win in the case.

Until last year, admission to TJ was race-blind and merit-based; requirements included a standardized test, grade-point average, completion of certain math classes, and teacher recommendations. Last year, the Fairfax County Public Schools' board and superintendent adopted an admissions policy aimed at balancing the racial groups at TJ by eliminating the admissions test, guaranteeing seats for 1.5 percent of each middle school's eighth grade class, and awarding bonus points for various factors such as attendance at a middle school previously underrepresented at TJ. The intended result: dramatically reducing the number of Asian-American students admitted to TJ.

Some of the important findings:

- Hilton wrote that “emails and text messages between Board members and high-ranking FCPS officials leave no material dispute that, at least in part, the purpose of the Board's admissions overhaul was to change the racial makeup to TJ to the detriment of Asian-Americans.”
- “The proper remedy for a legal provision enacted with discriminatory intent is invalidation,” Hilton wrote and issued this scathing order: “Defendant Fairfax County School Board is enjoined from further use or enforcement of” its revised admissions system.
- Hilton agreed with the Coalition for TJ on almost every count. He wrote that throughout the revision process, Fairfax school board members and the superintendent made clear that their goal was “to have TJ reflect the demographics of the surrounding area, described primarily in racial terms.” Hilton wrote that this aim amounts to “racial balancing for its own sake,” and as such is “patently unconstitutional.”
- “The discussion of TJ admissions was infected with talk of racial balancing from its inception,” Hilton wrote.
- Hilton said that Fairfax County's use of racial data and attempt to consider the racial composition of TJ's student body demonstrates “discriminatory intent.”

- “Discriminatory intent does not require racial animus,” he wrote. “What matters is that the Board acted at least in part because of, not merely in spite of, the policy’s adverse effects upon an identifiable group....The Board’s policy was designed to increase Black and Hispanic enrollment, which would, by necessity, decrease the representation of Asian-Americans at TJ.”
- He said Asian American students have been “disproportionately deprived of a level playing field.”
- “Throughout this process, Board members and high-level FCPS officials expressed their desire to remake TJ admissions because they were dissatisfied with the racial composition of the school,” Hilton wrote.
- In his ruling, Judge Hilton stated, “The Board’s main problem is its focus on the goal to have TJ reflect the demographics of the surrounding area, described primarily in racial terms. Far from a compelling interest, racial balancing for its own sake is ‘patently unconstitutional’...The Board cannot transform racial balancing into a compelling interest “simply by relabeling it ‘racial diversity.’”

Appendix 2

Message from the Principal

Fairfax County Public Schools sent this bulletin at 06/07/2020 08:44 PM EDT

Having trouble viewing this email? [View it as a Web page.](#)

Thomas Jefferson HS for Science and Technology



Dear TJHSST Students and Families:

While the world has been quietly hibernating in quarantine the past few months, we recognize the personal isolation, health fears, and academic challenges you have endured. Our homes have been familiar yet bustling enterprises of work and school as we awaited our world to return to normal.

However, disturbing and painful actions in our country have jarred us from our COVID-19 slumber. We are awakened to see that our country's normal continues to be laced with racism that has plagued our nation since its founding. The recent events in our nation with black citizens facing death and continued injustices remind us that we each have a responsibility to our community to speak up and take actions that counter racism and discrimination in our society.

I implore you to think about your own journey and discovery of race and economic advantage in America. My parents never had to teach me about what it means to be white. I never have had to worry that someone would look at the color of my skin and think I either may not be smart enough to learn or I should be exceedingly smart in a certain subject. No one has surveilled me in a store while shopping, or locked their cars or front doors out of fear when seeing me in their neighborhood. While I did not come from a family with economic means, the color of my skin has given me privileges that others do not have. Please think of privileges you hold that others may not.

As we engage in self-reflection, children and adults can experience a range of emotions including hurt, anger, confusion, discomfort, defensiveness, hopelessness, humility, resolve and advocacy. These feelings are normal.

Our teachers, too, are processing everything while continuing to create classrooms that are safe and welcoming spaces. We encourage students to connect with teachers, counselors and administrators, particularly if they are struggling with how to cope with their range of emotions and ideas. Also, FCPS has several resources on countering racism and stigma you may [find here](#) on the district website.

Thank you for taking time to personally reflect. Give yourself the gift of feeling vulnerable as you process emotions individually and collectively. Reach out to trusted professionals and access resources that will help you.

During this reflection period, I would like to simultaneously call the TJ community to action in three areas.

First, our school is a rich tapestry of heritages; however, we do not reflect the racial composition in FCPS. Our 32 black students and 47 Hispanic students fill three classrooms. If our demographics actually represented FCPS, we would enroll 180 black and 460 Hispanic students, filling nearly 22 classrooms. The most recent TJ admissions trend, unfortunately, does not close the equity gap. Do all FCPS children who have high interest and aptitude for STEM enjoy the same privileges that put them on a path to TJ? Do the TJ admissions outcomes affirm that we believe TJ is accessible to all talented STEM-focused students regardless of race or personal circumstance?

Second, consider colonialism's role in our country's history where certain classes exerted power over others as a means to economically exploit, oppress and enslave them. During the Colonial period, there were leaders who believed those with black or brown skin were uncivilized and not capable of being educated. I speak for us all when I assert this is not a value we share as a TJ community. Yet, our mascot is a Colonial. Can our community support dismantling a symbol that perpetuated racism in our country?

Finally, the heart of public education is in the classroom. This is where students learn to become ethical and global citizens as espoused in the FCPS [Portrait of a Graduate](#). Our students learn to understand and accept, not merely tolerate, diverse cultures and perspectives. Curriculum will need to be adapted to better equip our TJ students. As expressed by TJ alumni who have written to me, "STEM alone is not enough." Can our community support the new conversations, lessons and activities that will need to be infused across our entire TJ program of study in all content areas?

I acknowledge some of the questions I am asking may not equally resonate with everyone as we examine our school's place within FCPS and the world. I also know that my words may not always be eloquent, my ideas may miss the mark, and I will make mistakes. I also know that I have enjoyed growing with you these past three years and have immense trust and faith in our community to pull together and do what is right, particularly for those in our community experiencing the most pain right now.

By evaluating the racial equity at our school, dismantling a long-held symbol of racism, and embracing curricula to better prepare TJ graduates for a truly diverse and culturally responsive world, you will play a role in how TJHSST continues to lead the nation as a public school that prepares students for the shared interests of humanity. Thank you for joining in this important work.

Sincerely,

Ann N. Bonitatibus, Ed.D.

TJHSST Principal

[6560 Braddock Rd, Alexandria, VA 22312](#) | Main Office: 703.750.8300
Attendance: 703.750.8315 | [Web](#) | [Twitter](#)



[Privacy Policy](#) | [Cookie Statement](#) | [Help](#)