CFER 2021
Annual Report

CALIFORNIANS FOR EQUAL RIGHTS FOUNDATION

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ACKNOWLEDGMENT:

We would like to acknowledge and thank our donors and key allies who put their trust and faith in CFER’s trailblazing mission to defend true equality. While we are convinced that CFER is on the right side of history with a steadfast commitment and proven strategies, we couldn’t have made meaningful progress without their generosity, especially as an emerging organization established only one year prior.

From the bottom of our hearts, we thank you and wish you a Merry Christmas and Happy New Year!
EXECUTIVE SUMMARY:

It has been a little over a year since Californians for Equal Rights Foundation (CFER) emerged from a resounding electoral victory against Proposition 16, thereby safeguarding California's constitutional principle of equal protection. With your blessing and support, we have successfully restructured the victorious campaign coalition into a non-profit organization. In just a year, CFER has made solid progress in diverse areas of operations. We are proud to announce that CFER has become an organization with a strong commitment to our mission and a proven track record!

Policy Monitoring
We defeated race-preferential AB105, effectively monitored the ethnic studies mandate AB101 and produced premium legislative reports.

Voter Education
CFER successfully engaged communities, government entities and partner organizations to raise public awareness on various ideological and policy trends that erode equal rights.

Rigorous Research
CFER anchors our public advocacy work in rigorous research, empirical analysis and a scientific approach.

Legal Advocacy
We have partnered up with public interest law foundations to challenge unconstitutional policies that contravene equal protection and free speech.

Media Outreach
From seeking balanced media coverage to publishing quality opinion pieces, CFER has promoted the cause of equal rights and exposed harms of racial preferences and critical race theory (CRT).

“In our first year, CFER has dedicated itself to educating the public on equal rights and merit. We strive to accomplish our goals through various proven channels and strategies, positioning CFER as the leading organization against CRT in California and beyond.”

Going forward…
CFER will continue to champion our shared cause of equality. We invite you to review our annual progress report and kindly ask you to continue supporting CFER’s important work against toxic radical dogmas in our public life.

CFER Executive Team
December 2021
POLICY MONITORING

From the beginning, CFER has poised itself as a faithful watchdog to monitor the implementation of California’s constitutional principle of equal protection (Proposition 209). After identifying legislation and public policies that potentially violate California’s legislative ban on racial preferences/discrimination, we proactively pursue coalition-building, grassroots organizing, media outreach and legislative/policy research to advocate for reversals of such legislation/policies.

We have pressured Governor Newsom to veto AB105!
CFER started monitoring this race-preferential bill in January 2021. We published a legislative analysis, testified at the State Legislature as a primary witness in opposition, and lobbied the State Government against the bill. Our tireless efforts led to the gubernatorial vetoing of AB105, in which the Governor agreed with CFER’s two main arguments. This encouraging victory demonstrates the effectiveness of voicing dissent in a rational, scientific and persistent manner.

CFER’s advocacy contributed to the postponement of equity math
Having identified the anti-merit nature and ideological issues in the new 2022 Mathematics Framework, CFER organized a strong grassroots opposition. Along with similar initiatives from partner groups, we successfully forced the State Board of Education to delay the public review of the contested framework for six months. With trust from the Office of Congresswoman Young Kim, CFER assisted in the drafting of an open letter from the California Congressional GOP delegation in opposition of the framework.

We have prompted CalOSBA to refrain from preferential treatment
Between January and March 2021, CFER cooperated with the Pacific Legal Foundation (PLF) in discovering and raising public awareness of potential violations of Prop. 209 in the Covid-19 Relief Grant Program by the California Office of the Small Business Advocate (CalOSBA). With PLF’s help, we collected strong evidence of the program’s unconstitutional preferential treatment of women- and minority-owned businesses, launched a media campaign, and lobbied 235 chambers of commerce in California. Our positive engagement with important stakeholders prompted CalOSBA to remove race- and sex-based preferences from its eligibility criteria and instead prioritize businesses in “disadvantaged communities tracked by socioeconomic indicators.”
CFER Built A Diverse Alliance for Unity Against AB101
Since January, CFER has partnered up with various organizations throughout California and nationwide to raise public awareness about the prevalence of divisive ideologies in the California Ethnic Studies Model Curriculum (ESMC). We hosted multiple seminars and organized a broad-based coalition of 29 partner groups to collectively voice dissent against the ethnic studies mandate AB101. CFER testified at the State Assembly and Senate on multiple occasions against the bill as a primary expert witness and sent joint letters to both the State Legislature and the Governor’s office.

Due to a radical political orientation taken by the California State Legislature, AB101 was passed and signed into law in October. However, our advocacy and coalition-building work have earned us many partners and given us valuable insights. In addition, we have created a software to automatically track and document future legislation pertinent to our mission and cause. At the local level, CFER Advisor Professor Joe Nalven has facilitated our voter education work to introduce important guardrails in AB101 that can safeguard ethnic studies against the hijacking of CRT.
VOTER EDUCATION

CFER believes that educating the public and the electorate about ramifications of far-left ideologies and policies is crucial in our shared fight against racial grievance, CRT and preferences. As a result, voter education is an indispensable component of CFER’s work. Compared with fast-paced campaign work, this type of work takes longer for tangible results to emerge since we are essentially changing the hearts and minds of people.

CFER assisted the OCBE in voter education on ESMC and CRT

CFER had the honor to assist the Orange County Board of Education (OCBE) in facilitating two high-profile expert panels on ESMC and CRT. CFER helped invite many experts who presented at these official events, known as first-ever panels on the two inter-locking topics hosted by a government entity. Each event was attended by hundreds of concerned community members in and around Orange County.

We focus on local awareness building and infrastructure organizing

CFER has had some success organizing local rallies and info. sessions in San Diego to educate local communities and parents about the propagation of CRT through ethnic studies curricular and racial equity initiatives. We also published rounds of action alerts to urge parents and concerned citizens to give public comments at school board meetings in San Diego Unified, Poway Unified, Coronado Unified, Chula Vista Unified, Oceanside Unified, Solano Beach Unified School District and more.
CFER’s executive team including Frank Xu (President) and Dr. Wenyuan Wu (Executive Director) have given many public speeches and presented at numerous educational forums to explain the inherent issues and corruption of CRT with facts, data and logical reasoning. In July, CFER hosted a successful expert forum on CRT’s theoretical underpinnings and practical implications.

CFER has built an expansive network of grassroots organizing in a number of school districts in Southern California, encompassing parents, community members and PTA members. The network enables us to acquire first-hand, timely information at the school-district level. In 2022, we expect to broaden the network and build local infrastructure in Northern and Central California.
RIGOROUS RESEARCH

CFER believes in utilizing sound research to inform and empower the public with pertinent knowledge and toolkits. Equipped with facts and data from CFER’s various research initiatives, our supporters can better engage their local school boards and other elected officials in a rational and fact-based manner. They are also in a better position to unite people who lean differently in political outlooks.

Leading research-based, anti-CRT group
We published a brochure on CRT, a special report on CRT in action, and an action-oriented website www.rejectCRT.org.

Customized District-level reports
Based on requests from parents and citizens, CFER has prepared in-depth reports tailored toward different school districts’ policies and curricular.

A pioneering DEI/CRT research initiative
CFER has piloted a research initiative rating different school districts on the implementation of CRT-informed programs, diversity, equity and inclusion (DEI) initiatives and ethnic studies course. The 1st phase includes 44 districts and we plan to expand the project into all districts in California next year.

At CFER, we believe that the ultimate power of education decision-making rests with parents and communities. When more concerned citizens are informed and energized, we can effectively drive institutional, cultural and policy changes to reform our public education system.
Promoting pledges for unity against CRT
CFER has partnered up with the National Association of Scholars (NAS) to feature a school board candidate pledge against CRT and publicize names of pledge signers. We also have a parallel pledge for general voters. In both pledges, we advocate for American civic education to teach the founding principles and documents of the United States and to teach students to regard one another as individuals fundamentally united by their common humanity, common citizenship, common liberty, and common affection for one another.

Refuting research that endorses racial preferences in public policies
CFER has summarized and analyzed America’s first comprehensive city-level scientific study on pay gaps. We also provided a critical examination of Stanford’s empirical study on the efficacy of ethnic studies from both theoretical and empirical perspectives, to caution against the tendency to over-generalize the study into consequential educational reforms.

CFER stands by empirical research work that is both rigorous and scientific, as a solid basis for voter education that empowers the public with critical and independent knowledge.
LEGAL ADVOCACY

Advancing equal protection and free speech through the legal system greatly compliments policy monitoring and voter education. Legal resources and knowledge enhance our public deliberations and position CFER as an insightful stakeholder when we engage with policy-makers at national, state and local levels. In 2021, CFER has collaborated with several nationally recognized public interest law firms.

CFER v. The State of California

In September, CFER teamed up with the Thomas More Society and three San Diego parents in a ground-breaking lawsuit against the State of California, the California Department of Education, the State Board of Education and the State Superintendent of Public Instruction. Our lawsuit challenges the constitutionality of two religious prayers in the state-approved Ethnic Studies Model Curriculum (ESMC). Our ongoing case means that CFER is the first and only organization that has legally challenged the ESMC and its roots in CRT at the state level.

*The ESMC’s unequivocal promotion of five Aztec gods and the Yoruba religion through repetitive chanting and affirmation of their symbolic principles constitutes an unlawful government preference toward particular religious practices. Alarmingly, this is only the tip of the iceberg with the ESMC being California’s trojan horse of CRT!*
Getting ready to challenge provisions of racial quotas in AB105
As the principal organized opposition against AB105, CFER reached out to Pacific Legal Foundation (PLF) to discuss possibilities of suing the state, were the bill to be codified into law. As such, we had fully prepared to bring a lawsuit regarding AB105 before Governor Newsom vetoed it. We continue to collaborate with PLF to monitor and challenge race-preferential programs that violate Prop. 209 and the equal protection clause at both state and local levels.

Launched our nation’s first federal civil rights complaint against CRT
In April, CFER led a coalition of five partner organizations in a formal discrimination and civil rights violation complaint against the San Diego Unified School District (SDUSD) regarding unlawful, discriminatory critical race training of teachers and employees. The Complaint was filed with the U.S. Department of Education Office for Civil Rights (OCR), SDUSD and the San Diego County Office of Education. When SDUSD refused to investigate our complaint, CFER sought representation of experienced legal counsel to urge the District to conduct a prompt, thorough and neutral investigation in accordance with existing District policy and state law.

The San Diego Unified School District blatantly propagates racist ideas and theories, subjugating its teachers to disparate treatment based on race. CFER’s complaint was the first of its kind, setting up a positive precedent!
Supporting SFFA in suing against racial preferences
In March, CFER collaborated with the American Civil Rights Project (ACRP) in an amicus brief submitted to the U.S. Supreme Court, in support of the certiorari petition by Students for Fair Admissions (SFFA) against racial balancing in Harvard’s undergraduate admissions. We urge the high court to correct a past mistake and address race-conscious admissions. In December, the ACR Project represented CFER in a similar amicus brief in support of SFFA’s lawsuit against University of North Carolina.

No. 20-1199

In The
Supreme Court of the United States

STUDENTS FOR FAIR ADMISSIONS, INC.,

Petitioner,

v.

PRESIDENT & FELLOWS OF HARVARD COLLEGE,

Respondent.

On Petition For Writ Of Certiorari
To The United States Court Of Appeals
For The First Circuit

BRIEF OF THE CALIFORNIA STUDENTS FOR EQUAL RIGHTS FOUNDATION AS AMICUS CURIAE IN SUPPORT OF THE PETITIONER

Fighting racial discrimination at Coca-Cola
In May, CFER worked with the ACR Project to recruit potential plaintiffs from Coca-Cola stockholders for a class action lawsuit. The lawsuit focuses on the company’s barrage of race-based requirements for law firms seeking to represent Coca-Cola, which include a 30% diversity quota.

Challenging racial balancing at the University of California
This year, we have also teamed up with prestigious law scholars and law firms to explore various avenues to hold the University of California accountable to its long-standing practices of racial preferences in both admissions and hiring.
MEDIA OUTREACH

We believe in the important role of a free and balanced press in making our voices for equality and merit heard by the general public. By focusing on media outreach, CFER has effectively built public awareness on various projects and initiatives we have undertaken this year.

In 2021, CFER’s core team members have published over 20 premium opinion pieces on regional and national media platforms. Among them, we have published articles to expose media bias. In addition, Dr. Wenyuan Wu, Professor Gail Heriot, Saga Conroy, Frank Xu and other CFER leaders have accepted many media interviews. CFER’s work has been covered in media for 100+ times.

Through our proactive engagements with friends of the press, CFER was also able to shed a light on the issue of cancel culture. When the U.S. Department of Justice catered to the National School Boards Association (NSBA) and its smear of anti-CRT parents as “Domestic Terrorists,” CFER promptly collaborated with Parents Defending Education and California Policy Center in submitting open letters and voicing our opposition in media. These joint initiatives eventually forced the NSBA to retract its statement on domestic terrorism.

Just in 2021 alone, CFER’s work has been covered by numerous platforms including the Wall Street Journal, Fox News, Bloomberg, Washington Post, Los Angeles Times and more!
CLOSING MESSAGE

We are proud of CFER’s solid progress in its first year and grateful to all our supporters for their faith and trust in CFER. With your support, CFER stands strong in this fight against extreme ideologies and race-based policies. In 2022, we will further improve CFER’s track record as a credible, trust-worthy and action-oriented organization that contributes to the honorable causes of equal rights and merit. We encourage you to continue to support CFER with your generous donations to help us improve our programs and carry on our mission.