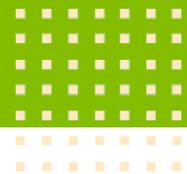




Viewpoints

CDE Citations Hold Lessons for Districts in Discussing Gaza Conflict



Earlier this month, the California Department of Education (“CDE”) issued citations against two districts following complaints of antisemitism arising out of how its employees handled conversations about the conflict in Gaza following the October 7, 2023 terrorist attacks and subsequent military response.

Campbell Union HSD

CDE issued a citation against Campbell Union High School District on April 4, 2025, admonishing two Ethnic Literature teachers for failing to provide a balanced view of the conflict. According to CDE’s findings, one teacher did a “community circle” lesson that was not part of the curriculum. During that lesson, which was intended to focus on colonialism, students discussed whether Israel is a settler colonialist state. The teacher showed a video in favor of the Palestinian perspective, but not one from the Israeli perspective. CDE found this to be biased.



In another instance, students presented a project on “Genocide of Palestinians.” The teacher did not ask the students any questions about their project and posted it online. CDE found that students could have interpreted the lack of questions as the teacher’s approval of their central thesis, and that the teacher did not create a “non-discriminatory and balanced learning environment.”

CDE ordered the district to provide at least one hour of anti-bias training to English/Language Arts and Social Studies teachers. The district has requested reconsideration.

Santa Clara USD

CDE also issued two citations against the Santa Clara Unified School District on January 24, 2025. First, CDE found that a teacher used war in Gaza as an example for a project on genocide, using inflammatory language to describe Israel’s role and did not include consideration of the other side of the debate. CDE found that this violated the Education Code’s prohibition of discrimination based on ethnicity, religion, and nationality.

CDE also found that a different teacher violated a student’s right to be free of discrimination, harassment, and intimidation when the teacher tried to dissuade the student from holding a Jewish Culture Club event featuring a guest from Israel. The teacher told the student to disinvite the speaker to avoid antisemitism and a poor reflection on the student. The district’s internal investigation acknowledged the power imbalance between the teacher and student, and the offensiveness of the teacher’s conduct in light of the student’s Jewish faith, but ultimately did not find that the teacher’s actions amounted to discrimination or harassment. CDE disagreed.

In both cases, CDE ordered corrective action in the form of training to all high school teachers and administrators regarding the purposes and intent behind EC sections 200 et seq., as well as on students’ rights to be free from discrimination, harassment, intimidation, or bullying on the basis of protected characteristics, and to be protected from retaliation for filing complaints alleging such conduct.

Key Takeaways

These citations from CDE highlight that, while teachers and students may discuss controversial topics like the war in Gaza at school, how they do so is important given students’ rights to an educational environment free of discrimination – such as antisemitism – harassment, and intimidation. Schools should ensure that these topics are presented in an unbiased way, with both sides presented for students’ consideration. School staff should also avoid discouraging students from espousing their personal viewpoints while being careful not to create a situation where students believe the teacher is endorsing a viewpoint on the school’s behalf.

“The legal issue is whether the teacher responded adequately so as to ensure a non-discriminatory and balanced learning environment,”



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Professionals



Alicia "Ali" Arman Brown
Associate
Oakland
510.550.8227
aarmanbrown@f3law.com



Peter K. Fagen
Partner
San Diego
760.304.6000
pfagen@f3law.com