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'Our case was she did not fit stereotypical notions held by Muslim men of how Muslim women should act. . . . She questioned the authority of an elder, and she's a woman and he's a man.'

Ed Connor, attorney for Zakiyyah Muhammad

Fired Principal Awarded \$788,000

A jury agrees there was sex discrimination in the woman's dismissal from a Garden Grove Islamic elementary school. A cultural clash is blamed.

By JEFF GOTTLIEB
Times Staff Writer

A Superior Court jury has ordered the Islamic Society of Orange County and two of its officials to pay the former principal of its elementary school nearly \$800,000, agreeing that they discriminated against her when she was fired two years ago.

Zakiyyah Muhammad, an African American woman who converted to Islam, was fired after serving five years as principal of the Orange Crescent School in Garden Grove.

Although the jury did not have to specify what type of discrimination was involved, Ed Connor, Muhammad's attorney, said Monday the main thrust of the case was gender bias because his client had challenged her male superiors. The jury said it found no evidence to support the separate accusation of racial bias.

"Our case was she did not fit stereotypical notions held by Muslim men of how Muslim women should act," he said.

Muhammad said her case showed the cultural schism that can exist between U.S.-born Islamic women who believe they are equal to men and Islamic immigrants from Asian and Middle Eastern countries, where many women are subservient.

Muhammad and Connor said they were challenging not Islam but cultural practices. Both said the religion ensures equality between the sexes.

"The revelation of the Koran is not antithetical to the Constitution of the United States," Muhammad said.

Barbara Fitzgerald, attorney for the defendants, said, "The verdict is erroneous and will be corrected on appeal." She wouldn't comment further.

The Superior Court jury of eight women and four men deliberated two days before reaching a verdict Friday afternoon. The jury ordered the Islamic Society, which runs the school; Dr. Fazal Mirza, president of its school board; and board treasurer Refat Abodia to pay Muhammad \$788,000, which includes punitive damages of \$130,000.

[See School, Page B10]

Fired Principal Wins Lawsuit

[School, from Page B1]

Shortly before bringing in their verdict, jurors sent the judge a note saying they wanted to let both sides "know and understand that we do not consider Islam to be on trial. . . . We have been empowered to deliver a verdict but we are powerless to deliver peace and understanding. You must seek this elsewhere."

In addition to discrimination, jurors found the defendants guilty of intentional infliction of emotional distress, fraud, negligence and conspiracy to defraud.

Muhammad, 60, who holds a

master's degree and doctorate from Columbia University in New York, had been involved in Islamic education most of her career. She came from Sacramento in 1998 to run Orange Crescent. The school was accredited the next year.

Muhammad charged in her suit that Mirza, the new school board president in 2003, had secretly planned to replace her with the vice principal, a Pakistani immigrant. The suit also said Mirza had reneged on an agreement giving her a new two-year contract with a raise to \$65,000 a year and instead put

her on probation.

Muhammad said Mirza verbally attacked her at a school board meeting and that she asked for an apology. When it never came, she asked for a hearing before the Majlis-e-Shura, the society's governing board. Shortly afterward, on Sept. 16, 2003, she was fired.

"She did the 'unthinkable,'" Connor said. "She questioned the authority of an elder, and she's a woman and he's a man. Those would never be legit reasons anywhere in the U.S. for firing her."

A report on the firing, by the

Council on Islamic Education, a group of Islamic scholars from around the country, said the decision to fire Muhammad was hasty, unethical, unprofessional and a violation of Islamic principles. The council had heard about the firing and decided to investigate, according to Muhammad's previous attorney.

The council warned that the matter could widen a rift between immigrant and U.S.-born Muslims and "invariably be seen as proof that immigrant Muslim communities look at African American Muslims as their inferiors."