



Critical Race Theory

EDITOR'S NOTE

Critical race theory has exploded into the public sphere, helped no doubt by conservative lawmakers pushing for new laws in numerous states to restrict what schools teach about race and racism in America. But there's widespread misunderstanding and misuse of the term, what it means, and how it intersects with the teaching and learning in K-12. In this Spotlight, learn what critical race theory is, what it isn't, and how it's a practice, not a curriculum.

What Is Critical Race Theory, and Why Is It Under Attack? **2**

Critical Race Theory Isn't a Curriculum. It's a Practice **4**

Critical Race Theory Puts Educators At Center of a Frustrating Cultural Fight Once Again **6**

Efforts to Root Out Racism in Schools Would Unravel Under 'Critical Race Theory' Bills **8**

Four States Have Placed Legal Limits On How Teachers Can Discuss Race. More May Follow **10**

Group Seeks Federal Probes Into Schools That Pledge to Address Systemic Racism **12**

8 States Debate Bills to Restrict How Teachers Discuss Racism, Sexism **14**

OPINION

Critical Race Theory Isn't a Curriculum. It's a Practice **4**



—Video still/ Education Week

Published May 18, 2021

What Is Critical Race Theory, and Why Is It Under Attack?

By Stephen Sawchuk

Is “critical race theory” a way of understanding how American racism has shaped public policy, or a divisive discourse that pits people of color against white people? Liberals and conservatives are in sharp disagreement.

The topic has exploded in the public arena this spring—especially in K-12, where numerous state legislatures are debating bills seeking to ban its use in the classroom.

In truth, the divides are not nearly as neat as they may seem. The events of the last decade have increased public awareness about things like housing segregation, the impacts of criminal justice policy in the 1990s, and the legacy of enslavement on Black Americans. But there is much less consensus on what the government’s role should be in righting these past wrongs. Add children and schooling into the mix and the debate becomes especially volatile.

School boards, superintendents, even principals and teachers are already facing questions about critical race theory, and there are significant disagreements even among experts about its precise definition as well as how its tenets should inform K-12 policy and practice. This explainer is meant only as a starting point to help educators grasp core aspects of the current debate.

Just what is critical race theory anyway?

Critical race theory is an academic concept that is more than 40 years old. The core idea is that racism is a social construct, and that it is not merely the product of individual bias or prejudice, but also something embedded in legal systems and policies.

The basic tenets of critical race theory, or CRT, emerged out of a framework for legal analysis in the late 1970s and early 1980s created by legal scholars Derrick Bell, Kimberlé Crenshaw, and Richard Delgado, among others.

A good example is when, in the 1930s, government officials literally drew lines around areas deemed poor financial risks, often explicitly due to the racial composition of inhabitants. Banks subsequently refused to offer mortgages to Black people in those areas.

Today, those same patterns of discrimination live on through facially race-blind policies, like single-family zoning that prevents the building of affordable housing in advantaged, majority-white neighborhoods and, thus, stymies racial desegregation efforts.

CRT also has ties to other intellectual currents, including the work of sociologists and literary theorists who studied links between political power, social organization, and language. And its ideas have since informed other fields, like the humanities, the social

sciences, and teacher education.

This academic understanding of critical race theory differs from representation in popular books and, especially, from its portrayal by critics—often, though not exclusively, conservative Republicans. Critics charge that the theory leads to negative dynamics, such as a focus on group identity over universal, shared traits; divides people into “oppressed” and “oppressor” groups; and urges intolerance.

Thus, there is a good deal of confusion over what CRT means, as well as its relationship to other terms, like “anti-racism” and “social justice,” with which it is often conflated.

To an extent, the term “critical race theory” is now cited as the basis of all diversity and inclusion efforts regardless of how much it’s actually informed those programs.

One conservative organization, the Heritage Foundation, recently attributed a whole host of issues to CRT, including the 2020 Black Lives Matter protests, LGBTQ clubs in schools, diversity training in federal agencies and organizations, California’s recent ethnic studies model curriculum, the free-speech debate on college campuses, and alternatives to exclusionary discipline—such as the Promise program in Broward County, Fla., that some parents blame for the Parkland school shootings. “When followed to its logical conclusion, CRT is destructive and rejects the fundamental ideas on which our constitutional republic is based,” the organization claimed.

(A good parallel here is how popular ideas of the common core learning standards grew to encompass far more than what those standards said on paper.)

Does critical race theory say all white people are racist? Isn’t that racist, too?

The theory says that racism is part of everyday life, so people—white or nonwhite—who don’t intend to be racist can nevertheless make choices that fuel racism.

Some critics claim that the theory advocates discriminating against white people in order to achieve equity. They mainly aim those accusations at theorists who advocate for policies that explicitly take race into account. (The writer Ibram X. Kendi, whose recent popular book *How to Be An Antiracist* suggests that discrimination that creates equity can be considered anti-racist, is often cited in this context.)

Fundamentally, though, the disagreement springs from different conceptions of racism. CRT thus puts an emphasis on outcomes, not merely on individuals’ own beliefs, and it calls on these outcomes to be examined and rectified. Among lawyers, teachers, policymakers, and the general public, there are many dis-

agreements about how precisely to do those things, and to what extent race should be explicitly appealed to or referred to in the process.

Here's a helpful illustration to keep in mind in understanding this complex idea. In a 2007 U.S. Supreme Court school-assignment case on whether race could be a factor in maintaining diversity in K-12 schools, Chief Justice John Roberts' opinion famously concluded: "The way to stop discrimination on the basis of race is to stop discriminating on the basis of race." But during oral arguments, then-justice Ruth Bader Ginsburg said: "It's very hard for me to see how you can have a racial objective but a nonracial means to get there."

All these different ideas grow out of long-standing, tenacious intellectual debates. Critical race theory emerged out of postmodernist thought, which tends to be skeptical of the idea of universal values, objective knowledge, individual merit, Enlightenment rationalism, and liberalism—tenets that conservatives tend to hold dear.

What does any of this have to do with K-12 education?

Scholars who study critical race theory in education look at how policies and practices in K-12 education contribute to persistent racial inequalities in education, and advocate for ways to change them. Among the topics they've studied: racially segregated schools, the underfunding of majority-Black and Latino school districts, disproportionate disciplining of Black students, barriers to gifted programs and selective-admission high schools, and curricula that reinforce racist ideas.

Critical race theory is not a synonym for culturally relevant teaching, which emerged in the 1990s. This teaching approach seeks to affirm students' ethnic and racial backgrounds and is intellectually rigorous. But it's related in that one of its aims is to help students identify and critique the causes of social inequality in their own lives.

Many educators support, to one degree or another, culturally relevant teaching and other strategies to make schools feel safe and supportive for Black students and other underserved populations. (Students of color make up the majority of school-aged children.) But they don't necessarily identify these activities as CRT-related.

As one teacher-educator put it: "The way we usually see any of this in a classroom is: 'Have I thought about how my Black kids feel? And made a space for them, so that they can be successful?' That is the level I think it stays at, for most teachers." Like others interviewed for this

explainer, the teacher-educator did not want to be named out of fear of online harassment.

An emerging subtext among some critics is that curricular excellence can't coexist alongside culturally responsive teaching or anti-racist work. Their argument goes that efforts to change grading practices or make the curriculum less Eurocentric will ultimately harm Black students, or hold them to a less high standard.

As with CRT in general, its popular representation in schools has been far less nuanced. A recent poll by the advocacy group Parents Defending Education claimed some schools were teaching that "white people are inherently privileged, while Black and other people of color are inherently oppressed and victimized"; that "achieving racial justice and equality between racial groups requires discriminating against people based on their whiteness"; and that "the United States was founded on racism."

Thus much of the current debate appears to spring not from the academic texts, but from fear among critics that students—especially white students—will be exposed to supposedly damaging or self-demoralizing ideas.

While some district officials have issued mission statements, resolutions, or spoken about changes in their policies using some of the discourse of CRT, it's not clear to what degree educators are explicitly teaching the concepts, or even using curriculum materials or other methods that implicitly draw on them. For one thing, scholars say, much scholarship on CRT is written in academic language or published in journals not easily accessible to K-12 teachers.

What is going on with these proposals to ban critical race theory in schools?

As of mid-May, legislation purporting to outlaw CRT in schools has passed in Idaho, Iowa, Oklahoma, and Tennessee and have been proposed in various other statehouses.

The bills are so vaguely written that it's unclear what they will affirmatively cover.

Could a teacher who wants to talk about a factual instance of state-sponsored racism—like the establishment of Jim Crow, the series of laws that prevented Black Americans from voting or holding office and separated them from white people in public spaces—be considered in violation of these laws?

It's also unclear whether these new bills are constitutional, or whether they impermissibly restrict free speech.

It would be extremely difficult, in any case, to police what goes on inside hundreds of thousands of classrooms. But social stud-

“

History teachers can not adequately teach about the Trail of Tears, the Civil War, and the civil rights movement. English teachers will have to avoid teaching almost any text by an African American author because many of them mention racism to various extents.”

MIKE STEIN

ENGLISH AND ENGLISH AS A SECOND LANGUAGE TEACHER AT COFFEE COUNTY HIGH SCHOOL, MANCHESTER

ies educators fear that such laws could have a chilling effect on teachers who might self-censor their own lessons out of concern for parent or administrator complaints.

As English teacher Mike Stein told Chalkbeat Tennessee about the new law: "History teachers can not adequately teach about the Trail of Tears, the Civil War, and the civil rights movement. English teachers will have to avoid teaching almost any text by an African American author because many of them mention racism to various extents."

The laws could also become a tool to attack other pieces of the curriculum, including ethnic studies and "action civics"—an approach to civics education that asks students to research local civic problems and propose solutions.

How is this related to other debates over what's taught in the classroom amid K-12 culture wars?

The charge that schools are indoctrinating students in a harmful theory or political mindset is a longstanding one, historians note. CRT appears to be the latest salvo in this ongoing debate.

In the early and mid-20th century, the concern was about socialism or Marxism. The conservative American Legion, beginning in the 1930s, sought to rid schools of progres-

sive-minded textbooks that encouraged students to consider economic inequality; two decades later the John Birch Society raised similar criticisms about school materials. As with CRT criticisms, the fear was that students would be somehow harmed by exposure to these ideas.

As the school-aged population became more diverse, these debates have been inflected through the lens of race and ethnic representation, including disagreements over multiculturalism and ethnic studies, the ongoing “canon wars” over which texts should make up the English curriculum, and the so-called “ebonics” debates over the status of Black vernacular English in schools.

In history, the debates have focused on the balance among patriotism and American exceptionalism, on one hand, and the country’s history of exclusion and violence towards Indigenous people and the enslavement of African Americans on the other—between its ideals and its practices. Those tensions led to the implosion of a 1994 attempt to set national history standards.

A current example that has fueled much of the recent round of CRT criticism is the New York Times’ 1619 Project, which sought to put the history and effects of enslavement—as well as Black Americans’ contributions to democratic reforms—at the center of American history.

The culture wars are always, at some level, battled out within schools, historians say.

“It’s because they’re nervous about broad social things, but they’re talking in the language of school and school curriculum,” said one historian of education. “That’s the vocabulary, but the actual grammar is anxiety about shifting social power relations.” ■

▶ Video Resource

[What Is Critical Race Theory and Why Are States Banning It? \(Video\)](#)

OPINION

Published on May 26, 2021

Critical Race Theory Isn’t a Curriculum. It’s a Practice

By Janel George

The concept of critical race theory, or CRT, has recently been vilified by politicians as a “radical,” “un-American,” and “racially divisive” concept. Several states have even banned schools from teaching critical race theory, with more states debating doing the same. For example, if I taught at a public university in Idaho rather than in Washington, recent legislation would prohibit me from applying a CRT lens in my classroom.

To be clear, [CRT is not itself a substantive course or workshop](#); it is a practice. It is an approach or lens through which an educator can help students examine the role of race and racism in American society. It originated in the legal academy—I first learned about it as a law student—and has since been adopted in other fields in higher education.

In the K-12 classroom, CRT can be an approach to help students understand how racism has endured past the civil rights era through systems, laws, and policies—and how those same systems, laws, and policies can be transformed. But the vocal opposition to critical race theory—coming from predominantly white states and school districts—will undoubtedly have a chilling effect on its use in the K-12 classroom.

Banning the use of CRT robs teachers of a



Nip Rogers for Education Week

valuable teaching tool. And, perhaps, that is the point. But I have seen how applying critical race theory as a framework for understanding the educational inequities harming students of color can help my students trace the trajectory from the origins of inequities to their current manifestations.

In the course about racial inequality in K-12 public education that I designed and teach for graduate public-policy students, CRT is a valuable framework for helping students identify how law and policy can either entrench or eradicate historic racial inequities in education.

Like many academic theories, CRT is com-

plex and constantly evolving. However, it can be characterized by a few tenets, which challenge many traditional understandings of race and racial inequality. The Human Genome Project found that humans [share 99.9 percent of the same genetic makeup](#), despite our different appearances. Critical race theory recognizes that our ideas of racial difference—which run counter to this scientific evidence—have been socially constructed. It acknowledges how that social construction of race has shaped America and how systems and institutions can do the bulk of replicating racial inequality.

These tenets require a departure from the popular idea that racism is perpetrated solely by individual “bad actors.” If we confine racism to individual bad actors, we ignore the ways that systems and institutions can replicate racial inequality.

“

Critical race theory helps us recognize how many contemporary policies that perpetuate racial inequality can seem innocuous or even logical.

This framework is particularly relevant to education. Gloria Ladson-Billings, a leading scholar in applying critical race theory to education, explains how racial inequality can be replicated in education: Curricula that largely exclude the history and lived experiences of Americans of color are the norm. Deficit-oriented instruction often characterizes students of color as failures if a one-size-fits-all approach doesn't work for them. Standardized-test scores from assessments detached from what students learn in the classroom are widely used to confirm narratives about the ineducability of children of color.

Critical race theory helps us recognize how many contemporary policies that perpetuate racial inequality can seem innocuous or even logical. School discipline policies that prohibit the wearing of hair in locs might seem neutral, but they disproportionately impact Black stu-

dents who are most likely to wear locs. Critical race theory helps us recognize that even policies not explicitly predicated on race are not objective—they can actively function to reproduce racial inequality.

In addition, CRT recognizes the value of centering the voices of people who have historically been marginalized. My graduate students are primarily well-educated professionals, including former educators. Nevertheless, over the few years that I've taught the course, many of them express surprise about their limited prior exposure to the history of racial inequality in American education.

In my graduate course, my students read about how Native American children were forcibly removed from their families and placed in boarding schools where they were subjected to forced assimilation, forbidden from speaking their languages, and barred from wearing traditional dress. One student remarked, “How have I arrived at this point in my education and this is the first time that I am learning about this?”

Students in my course also read an excerpt from Frederick Douglass' narrative describing his various covert and creative strategies to learn how to read and write in the face of anti-literacy laws targeting enslaved Black persons. One student expressed surprise at how “actively” the prohibition against teaching enslaved people to read was enforced.

I teach students history not to cast anyone as an “oppressor” or a “victim” but to demonstrate how these past inequities inform contemporary ones. A CRT lens helps students recognize how racial inequality can be maintained through laws and policies—spanning the “Slave Codes” that prohibited Douglass and other enslaved persons from learning how to read or write to the Jim Crow laws and de facto policies that maintained school segregation to contemporary policies like exclusionary admissions policies or discriminatory school discipline policies.

But systems, practices, and policies can also help to eliminate racial inequality. May 31 through June 1 marks the centennial of the Tulsa Massacre in which as many as 300

“

I teach students history not to cast anyone as an ‘oppressor’ or a ‘victim’ but to demonstrate how these past inequities inform contemporary ones.

Black residents of the Greenwood district in Tulsa, Okla., were massacred by an enraged white mob. The massacre was shrouded in secrecy for many years, but historians, activists, and survivors have recently brought this painful history to the fore. Just last year, the Oklahoma board of education added the 1921 Tulsa Race Massacre to its curriculum. But the state's recent passage of H.B. 1775, a bill aimed at barring the teaching of critical race theory in classrooms, robs educators of a lens through which to examine the conditions, laws, and practices that fueled such racial terror.

Many people hope that ignoring the existence of racial inequality will make it go away—it doesn't. Instead, we must do the work of identifying the policies, practices, and conditions that allow it to persist. Before critical race theory is “canceled” or further mischaracterized, it is important to recognize how this framework helps educators examine historic and contemporary racial inequality and to equip students with the tools to help eradicate it. ■

Janel George is an adjunct professor at Georgetown University's McCourt School of Public Policy, where she teaches a course on racial inequality in K-12 public education. She has worked in the U.S. Senate and House of Representatives as legislative counsel and for several nonprofits.

Join the Conversation

In our upcoming episode of [A Seat at the Table](#), Peter DeWitt sits down with lawyer-educator Janel George and EdWeek reporters, Stephen Sawchuk and Andrew Ujifusa, as they discuss what's at the heart of the critical race theory debate, where the fury is coming from, and why educators should not shy away from the practice.



Published on May 26, 2021

Critical Race Theory Puts Educators At Center of a Frustrating Cultural Fight Once Again

By Andrew Ujifusa

The fight over how schools are handling America's history with race and discrimination continues to heat up. But what does it mean when people say it's part of a seemingly endless culture war?

The assertion that educators are increasingly using or somehow inspired by critical race theory—a concept that racism is a social construct embedded in policies and legal systems, and which goes beyond individuals' prejudices—has triggered a rush of commentary and political reactions, including new laws in at least four states.

The idea of a culture war in education conjures up a host of long-standing, never-completely-resolved disputes over things like sex education, the teaching of evolution, Ebonics, history standards and curriculum, and bilingual education. These and other issues emphasize fundamental divides and power imbalances (real and perceived) in society.

And, in many cases, those with political power seem detached from the educators trying to talk about and deal with those divisions in classrooms.

"We've been dealing with this in some respects my whole career, unfortunately," said Anton Schulzki, a high school social studies teacher in the Colorado Springs, Colo., district and the president-elect of the National Council for the Social Studies, now in his 37th year of teaching. "So much of what we do has become part of the political football that's tossed back and forth. Everything's become hyper-politicized. ... People are talking past each other."

Yet a battlefield metaphor like "culture war" can push people into defensive crouches, reduce complex issues to narrow inflammatory terms, and obscure answers to questions especially important at this moment: Just how much influence are ideas like critical race theory, anti-racism, and white privilege having on what's taught? How can teachers best discuss competing and emerging narratives about history and race amid a swell of activism and upheaval involving race?

Those are the sort of questions that like won't get addressed by, for example, a new political action committee that intends to make critical race theory a flashpoint in local school board races. That kind of national involvement in such races isn't wholly unprecedented, but the PAC and efforts like it could spur new

stress for educators and school communities.

"There's a long history of conservatives in the United States thinking that the public schools are in the thrall of left-wing educators and even political operatives who are looking to indoctrinate American children on the public dime," said Natalia Mehlman Petrzela, an associate professor of history at the New School, a university in New York City. She added that the purported aim of such indoctrination is "to turn your children away from all that is good: God, family, and country."

Some also believe that those whipping up anger at concepts like critical race theory aren't just wrong, but creating a damaging distraction from what matters.

"It's not going to change anything so that one American child gets a better education," said Chris Stewart, the CEO of Brightbeam, a nonprofit education advocacy network, referring to those fighting against concepts like critical race theory. "It's not going to deliver a better teacher, better governance."

But adversaries of critical race theory and related concepts say not everyone who agrees with them comes from one political party or ideological perspective. They also believe this situation is distinguished by a striking and unhelpful irony: that infusing such ideas into schools perpetuates problems people say they want to solve—like discrimination and racism.

"I would compare the implementation of critical race theory to the same behaviors, like segregated water fountains, that were the reason for anti-discrimination laws in the first place," said Ian Rowe, a resident fellow at the American Enterprise Institute and a co-founder of 1776 Unites, an initiative that stresses the nation's "true founding values."

Still, Rowe cautioned against assuming today's fight is just like past ones that get the culture war label, saying that "each issue needs to be evaluated in its contemporary context."

Student perspectives can also get lost in the uproar. Ismael Jimenez, a social studies curriculum specialist in the Philadelphia school district who used to teach an African-American history course there, said race and racism affect many of his students' daily experiences in ways that other school topics simply don't.

"Students are really negotiating with the complicated reality that exists today," he said.

What does it mean to 'teach students how to think'?

Perhaps one clear sign that an issue has found itself on the cultural battlefield is when lawmakers get involved en masse.

Tennessee Gov. Bill Lee, seen answering questions as the state legislature met earlier this year, signed a law May 24 restricting what concepts on institutional racism can be taught in school.

In 2008, Florida state GOP legislator Alan Hays filed a bill designed to create room for classroom critiques of the scientific theory of evolution as a matter of free speech. Lawmakers in other state legislatures did the same.

“I want our teachers teaching students how to think, not what to think,” Hays told Education Week at the time.

Many efforts around that time to resist or create alternatives to teaching evolution fell short, although the issue hasn’t fully disappeared from education debates.

In a parallel, many legislatures this year have pondered limits on how teachers discuss “divisive concepts” such as systemic racism.

Echoing Hays’ words from 2008, Florida Commissioner of Education Richard Corcoran, in discussing a proposed rule that would require educators to teach a “traditional view of American history,” told the Tampa Bay Times in May that, “The goal of the teacher is to teach kids how to think, not what to think.”

Familiar names, not just phrases, can crop up too in the current round of debate.

For example, the Discovery Institute, a think tank that promotes intelligent design—the idea that an unidentified master architect controls key elements of the natural world—gained prominence during battles over the teaching of evolution roughly 15 years ago. Today, Christopher Rufo, who until recently was the director of the Discovery Institute’s Center on Wealth and Poverty, used his position at the think tank to highlight what he called critical race theory’s damaging influence in schools.

In March, Rufo said his goal was to “recodify” the term “to annex the entire range of cultural constructions that are unpopular with Americans.” He did not specify at the time what that might include. (Rufo, who is now a senior fellow at the Manhattan Institute, did not respond to requests for comment from Education Week.)

Societal unrest related to schools has often made for good political fodder. In 2020, then-President Donald Trump made a foray into the dispute during his re-election campaign, when he disparaged the focus on racism and bias in social studies classes as “left-wing indoctrination.” And his push for “patriotic education” and against training in racism and bias has influenced lawmakers’ actions this year.



—Mark Humphrey/AP

That sort of dramatic, extremely public intervention into classroom curriculum was unusual. But it’s not completely new.

Forty years earlier, for example, then-GOP presidential candidate Ronald Reagan called for “the biblical story of creation” to be taught alongside evolution, and said that religious America was “awakening over the issue.”

The tension between discussing ideas about race and applying them

But assuming the current clash over race and identity in America is just like others that have affected classrooms can be simplistic.

“They’re similar. But that similarity doesn’t mean they’re the same,” said Jimenez. “When we talk about race, we’re talking about the very foundation of American society.”

The political and cultural realignment that reached a new intensity after the murder of George Floyd has had a profound impact on how some educators think about [racial inequities and their affects on students](#).

That’s generated a concern that a focus on these issues will be used as a “weapon” against their children who are perceived as privileged in some way, said Adam Laats, a professor of education at the State University of New York’s Binghamton University who studies the history of American education.

That desire to protect children’s “safety” and sense of identity that they derive from home and family has featured frequently in social divisions that played out in schools, he said. But Laats also said some people are now demonstrating a new concern.

“One of the things they’re nervous about is that: ‘My white kid is going to be called a racist,’” Laats said. “They didn’t worry about that in the 20th century.”

Yet opponents of critical race theory’s application in schools say proponents of the concept don’t just want it taught, but want students to be coerced into making deeply personal confessions and professions, a demand that creates a clear cultural flashpoint.

“Critical theory should be discussed but not applied,” said Jonathan Butcher, an education fellow at the Heritage Foundation. “We should be making sure no one is compelled to act on these ideas. We shouldn’t fear tension. We should protect people from discrimination.”

Racial inequity in education has been one of the defining elements of K-12 policy and politics for decades. Many discussions and decisions about policies covering choice, accountability, academic standards, and funding have hinged on the best ways educators can help students of color. That’s also part of the backdrop for the current uproar.

But Petrzela said that in contrast to past conflicts that focused on issues like inclusive curriculum, “The argument is much more provocative. It’s that you can’t understand American economic ascendancy without slavery.”

Lack of agreement over what the debate’s even about

Sometimes, topics at the center of red-hot cultural disputes aren’t difficult to identify and define. But in the case of critical race theory in particular, there’s basic disagreement

even about what it is, and the extent to which schools are relying on it.

Jimenez, who's been part of a group of educators that's pushed Philadelphia schools to adopt a Black Lives Matter Week of Action, said he's rolled his eyes when people raise the alarm about critical race theory in schools. Most teachers, he said, don't know what that means, even if they are striving and in some cases struggling to address racism thoughtfully with students.

"We're not supposed to be critical of the mythology that we tell ourselves. If you're fearful that it might offend social mores related to American exceptionalism, you hit that same brick wall," he said.

Just as some see decades-old reactionary forces now attacking ideas like critical race theory, Butcher said systemic racism and critical race theory are longstanding, radical ideas from academia which perpetuate division. "That should have been left in the ash heap of history," he said.

The fight over classroom lessons about race and privilege in schools has also shown the limit of some alliances in the education world.

Supporters of expanding school choice, for example, have sparred over whether teachers must or should believe in the tenets of anti-racism in order to effectively teach Black and brown students.

Stewart, a veteran supporter of expanding school choice, said people can support school choice for different reasons and benefit from "interest convergence," adding that, "School choice is important for everybody."

But he said that the school choice movement needs "a widespread, multiracial, multicultural push" in order to truly succeed. And white school choice activists focused on fighting ideas like critical race theory and anti-racism, he said, need to ask themselves what their real priorities are.

"We need a bigger tent, but we don't need a bigot tent," Stewart said.

But Rowe, of AEI, says parents of any and all races are ultimately focused on whether their children are being prepared for success and to have life outcomes that are better than their own.

Activists who try to sell Black families on the idea that their children are oppressed at every turn and face a rigged system, he said, have no business trying to influence parents' perceptions or decision-making power when it comes to schools. There are already laws on the books, against discrimination by race, Rowe stressed.

"These families couldn't care less about critical race theory, or 'wokeness,'" said Rowe, who until recently led a charter school network in New York City. "These parents could not [care less] about what these intellectuals are arguing about."

Predicting when the fight ends could be a fool's errand

These fights come at a time of unprecedented disruption for schools dealing with the coronavirus pandemic. It remains to be seen how any lingering disruptions and distrust in schools affects the debate.

And social media—as in all contemporary controversies—can fan the flames while not providing much illumination about schools' actual approaches to an issue.

The overheated arenas of online discourse and national politics can also obscure that "people's identities are constructed in different ways," Petrzela said. Mexican-Americans as well as white people, she noted, were skeptical of bilingual education efforts in California decades ago. "The idea that there's a monolith of the Black community that's all on the same page" is false, Jimenez said. "There's different intellectual genealogies that people are coming from."

Court cases like the 1925 Scopes "monkey trial" over evolution can also have a profound impact on the public's perspective. No legal fight involving the current dispute over lessons about race and history has attained that status just yet, although it's been at the center of at least one lawsuit.

Ultimately, it's a mistake to think that cultural upheavals involving schools are ever fully resolved, said Laats.

It's been decades since the Vietnam War ended, for example, but he said it would be relatively easy to start a fight in many school board meetings over whether America's actions in Southeast Asia were justified.

"These are like community disputes, family disputes. They fester," Laats said. "It's because there's a struggle to make a community that a certain issue that's been buried for awhile suddenly comes back. The sides evolve. But there's always sides. ■"

Video Resource

[What Is Critical Race Theory and Why Are States Banning It? \(Video\)](#)

Published on May 26, 2021

Efforts to Root Out Racism in Schools Would Unravel Under 'Critical Race Theory' Bills

By Eesha Pendharkar

Thousands of schools across the country may soon be forced to upend curricula, discontinue ethnic studies courses and anti-bias training for teachers, and shut down classroom discussions on Black Lives Matter and other race-related events like the insurrection at the U.S. Capitol and murder of George Floyd.

That's because a wave of legislation in some states aims to severely limit how teachers and schools address race—a campaign that district leaders and experts say would squash a range of efforts to root out discrimination, bias, and racism experienced by students of color.

Such initiatives, they say, acknowledge in some way conscious and unconscious acts of racism by individuals and the government.

But they could now be perceived as breaking the nascent series of laws which, as of May 26, have been proposed in 15 states and now passed in four.

The effects are immediate. In Oklahoma, schools don't know if and how they can teach about the Tulsa Race Massacre under the state's new law. Exactly 100 years ago, a white mob attacked a prosperous Black business district and neighborhood, killing hundreds of Black residents and burning down homes and businesses. It was one of the worst racial terror attacks in U.S. history.

Conservative lawmakers and proponents say the bills are necessary to prevent the teaching of "critical race theory," a four-decade-old legal and academic framework that examines how racism has shaped the U.S. legal system and other institutions. They argue that the concept pits people of color against white people, is demoralizing for white children, and divides the country into "oppressors" and "the oppressed."

But experts say the laws ultimately will unravel years of administrators' fitful efforts to improve educational opportunities and academic outcomes for America's children of

color, who today make up the majority of the nation's student body.

"This is one of the most ludicrous things that I personally have experienced in my lifetime, is that you actually have lawmakers who are trying to outlaw the teaching of structural racism," said Prudence Carter, dean of the Graduate School of Education at the University of California, Berkeley.

"The idea that you can't even teach that means that you can't teach the history of this country. You can't teach the then, the now, nor the tomorrow."

The Dallas Independent School District has hired attorneys to figure out how to lawfully retain several expensive efforts launched in recent years to better support the learning and academic performance of its Black students.

If the proposed Texas bill that would restrict how teachers discuss race in the classroom becomes law, Superintendent Michael Hinojosa said he will sue. The measure has been approved by both chambers of the Texas legislature.

"...We would have to engage with other districts throughout the country that may be facing the same issue in red states," Hinojosa said. "And there is a desire to move forward to try to challenge this in the courts. We're not at that point yet. But we're not going to be afraid to enquire if the law passes."

A state will withhold money from districts that teach about white privilege

This spring, Republican lawmakers in several states introduced bills that aim to restrict what schools can teach about racism and sexism as part of a national effort to ban critical race theory. The bills have gained traction in at least a dozen states, and have been signed into law in Idaho, Iowa, Oklahoma and Tennessee.

Tennessee's law will withhold public funding from districts that teach their students about white privilege. Arizona's bill threatens to fine teachers \$5,000 if they discuss racism in the classroom.

Many of the bills, including Texas' and Oklahoma's, use the same language to explain what teachers can't teach, including that "one race or sex is inherently superior to another race or sex," and that someone by virtue of their race or sex, is "inherently racist, sexist, or oppressive, whether consciously or unconsciously" and "bears responsibility for actions committed in the past by other members of the same race or sex."

"America is not a fundamentally racist

country," Oklahoma Attorney General Mike Hunter said in a statement. "And encouraging more racism and discrimination is not the solution to racism."

Districts confront opportunity gaps for students of color

Students of color, for a variety of historical and contemporary reasons, have lower test scores, lower graduation rates, and lower participation in [gifted education](#) compared to their white peers. District administrators in recent decades have taken on a series of controversial and expensive race-conscious strategies to redesign curricula to be more culturally relevant, and make Black, Latino, Native American, and Asian students feel more welcome.

That includes forming diversity, inclusion and equity committees, hiring equity officers, incorporating more voices of color into the curriculum and offering ongoing teacher training to root out unconscious bias, which experts argue leads to the disproportionate disciplining of students of color.

Administrators overseeing rapidly diversifying schools say they can no longer ignore overall lagging academic outcomes and a growing pile of evidence that shows that students of color are systemically denied the same privileges offered to white students.

"Research shows that teaching a more inclusive curriculum significantly impacts standardized test scores," said Amanda Vickery, an assistant professor of social studies and race in education who teaches a course on critical race theory at the University of North Texas and trains teachers on how to incorporate Black women's voices into curriculum. "But not only does it raise student achievement and helps them do better in schools, but it makes them feel better when they see themselves in positive ways."

The Black Lives Matter movement in recent years has spurred on many of these efforts as parents of color have demanded that teachers more readily acknowledge in the classroom students' violent encounters with the police and other forms of institutionalized racism.

In 2017, Dallas' school board established a racial equity office, which compiles and publishes data on disparities between student groups, trains teachers on ways to better engage with families of color, and leads districtwide discussions about racism inside and outside classrooms.

Then, last summer, after Black Lives Matter protests galvanized the nation, Dallas'

“

Research shows that teaching a more inclusive curriculum significantly impacts standardized test scores.”

AMANDA VICKERY

ASSISTANT PROFESSOR OF SOCIAL STUDIES AND RACE IN EDUCATION, THE UNIVERSITY OF NORTH TEXAS

school board passed a resolution that explicitly acknowledged its role in allowing Black students, who make up almost a quarter of the district's student body, to be suspended at a significantly higher rate than white students for the same infractions, to be disproportionately diagnosed with special needs and regularly steered away from Advanced Placement, honors and gifted and talented programs.

The Texas bills, if signed into law, would upend almost all of the district's work, Hinojosa said.

In addition, the district would have to re-engineer its entire professional development plan, most of which regularly acknowledges unconscious bias and institutionalized racism, and discontinue its Mexican American studies and Black studies courses (the bill says that a teacher must explore historical "topics from diverse and contending perspectives without giving deference to any one perspective").

"In Texas, when you teach the Alamo, you teach it from the perspective of people who were in control at the time, not from the Latino perspective. Same thing when you teach about slavery," Hinojosa said. "So we don't apologize for teaching about history from the African American or Latino perspective, or the Asian American perspective."

A day before the Texas house of representatives approved the bill, Dallas' school board passed a resolution condemning the bill in a special meeting.

"I'm very proud of this district, not only in style but in the substance of where we've gone in our racial equity initiative, and much of that has been due to the strong, committed direc-

tion and leadership of the school board,” Hinojosa said at the meeting. “This is something that you should be very proud of, and it’s very much in jeopardy at this point.”

Can schools teach about the Tulsa Race Massacre?

In Oklahoma, administrators are questioning whether they can even mention in class the centennial of the Tulsa Race Massacre in which a white mob, with the assistance of the local government, murdered hundreds of Black people and burned down dozens of businesses.

Oklahoma’s law, which was passed on May 7, bans from the schools’ curriculum the idea that a person “by virtue of the individual’s race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously,” among other concepts.

Members of a statewide commission set up in 2015 to educate residents about the massacre said the law would undermine their work and moved to kick Gov. Kevin Stitt, a Republican, off the task force after he signed the bill.

State schools Superintendent Joy Hofmeis-

ter said that schools will still be required to teach students about the Tulsa Race Massacre.

“Schools will still teach all of the academic standards, including the Tulsa Race Massacre,” she said. “I am troubled by the message this bill sends, especially at a time when we’re preparing to observe the centennial of such a tragic and horrific event in our state’s history.”

Cecilia Robinson-Woods, the superintendent of the Millwood Public Schools in Oklahoma City, runs a school district of 1,000 students, more than 90 percent of whom are Black.

When her students come to school with questions about the racism and discrimination they witness in the world, Robinson-Woods said she wants teachers to be able to answer them.

“Schools emulate communities,” she said. “So if these things are happening in the communities, of course conversations are happening in the schools. It would not stop my children from coming in wanting to have the

conversation, as much as it will probably hinder some teachers’ responses.”

Throughout this school year’s turbulent news cycle in which clips of Black people being shot and killed by police were all over social media and regularly played on the news and politicians spouted racist ideas about people of color, Robinson-Woods sent frequent emails to teachers, most of whom are Black, asking them if they would be able to discuss the day’s events without getting emotional.

But while her school district will not stop discussing racism in the classroom, she is worried that majority white districts in Oklahoma and beyond might give up on that work now.

“What I believe is that the work regarding cultural reckoning, cultural responsiveness, equity inclusion will decrease,” she said. “And that it could definitely stifle the growth of minority students who might feel more disenfranchised, just based on a teacher’s approach.” ■

See for Yourself

Check out EdWeek’s [interactive map and table](#): Where Critical Race Theory Is Under Attack

Published on May 17, 2021

Four States Have Placed Legal Limits on How Teachers Can Discuss Race. More May Follow

By Sarah Schwartz

Four states have now passed legislation that would limit how teachers can discuss racism, sexism, and other controversial issues. It’s Republican lawmakers’ latest effort to rein in the approach to subjects they claim are divisive and inappropriate.

The legislation, passed so far in Idaho, Iowa, Oklahoma, and Tennessee, bans teachers from introducing certain concepts. Among them: that one race or sex is inherently superior, that any individual is consciously or unconsciously racist or sexist because of their race or sex, and that anyone should feel discomfort or guilt because of their race or sex.

Governors in Idaho and Oklahoma recently signed these bills into law; bills in Iowa and Tennessee are awaiting the governors’ signatures. A similar law also passed in Arkansas,

though it only applies to state agencies and not public schools.

In total, lawmakers in at least 15 states have introduced bills that seek to restrict how teachers can discuss racism, sexism, and other social issues.

The legislation, all introduced by Republican lawmakers, uses similar language as an executive order former President Donald Trump put in place to ban diversity training for federal workers. The order has since been rescinded by President Joe Biden.

Supporters of these laws say they’re designed to get schools to stop teaching critical race theory, an academic framework that examines how racism has shaped the U.S. legal system. The Idaho legislation specifically mentions critical race theory by name. Lawmakers claim that teachers have adopted its tenets, and are teaching about race, gender, and identity in ways that sow division among students.

But opponents—including many teachers—say they fear such legislation will stifle discussion of how racism and sexism have shaped the country’s history and continue to affect its present, by threatening educators with the possibility of legal action. And scholars of critical race theory have said that the laws mischaracterize the framework.

“I don’t know whether or not I’m going to have the academic freedom as an African American male to tell the truth,” said Lawrence Lane, a high school government and world history teacher at Checotah High School in Oklahoma.

Similar proposals are working their way through the legislatures in other states, too. In Arizona, a bill that would fine teachers \$5,000 for promoting one side of a controversial issue just passed the House.

Texas lawmakers introduced a bill that would ban schools from giving course credit for internships in social or public policy advocacy,

as well as limit how teachers discuss controversial issues; this bill has also passed the House.

And in Missouri, proposed legislation would ban the use of specific resources, including the 1619 Project, Learning for Justice Curriculum of the Southern Poverty Law Center, Black Lives Matter at School, Teaching for Change, and the Zinn Education Project.

Daven Oglesby, an elementary school special education teacher in Nashville, thinks this wave of legislation is a pushback to the anti-racism initiatives some schools took on after the murder of George Floyd and last summer's Black Lives Matter protests.

"It basically says, 'We know what's going on in society in terms of police brutality, but ... don't bring that conversation into your classroom,'" said Oglesby, who is Black.

Could teachers be breaking the law if students feel 'discomfort'?

Some school boards, teachers' unions, and history education groups have already voiced opposition to these new laws.

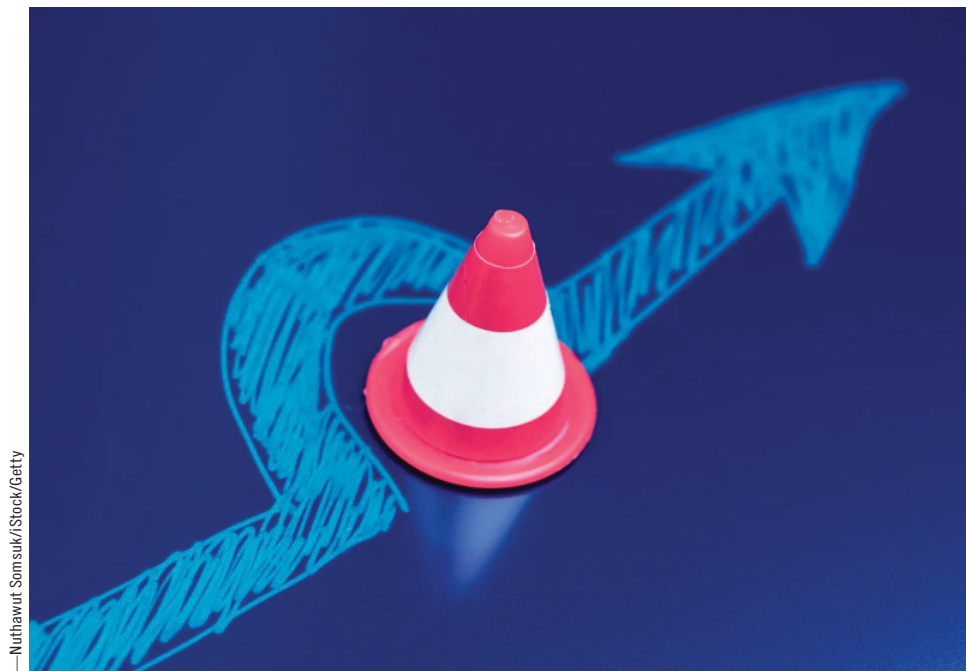
In Oklahoma City, the school board voted to formally disavow the state's law. Board member Ruth Veales said the legislation aimed to "protect white fragility" at the expense of teaching about race, the Oklahoman reported.

"I worry that teachers might be so on guard that they might touch a nerve somewhere inadvertently, that they become afraid to even host those discussions" about sensitive issues, Kathy Davis, the chair of Idaho's Professional Standards Commission, said in a video with the Idaho Education Association.

The Zinn Education Project launched a pledge for educators who oppose the legislation, and "refuse to lie to young people about U.S. history and current events—regardless of the law." The group offers lessons and professional development based on historian Howard Zinn's approach to teaching history from the perspective of people whose stories have been marginalized or ignored in dominant narratives.

Legal scholars have also raised concerns that the legislation threatens academic freedom and questioned whether teachers would be able to parse what would and would not be acceptable under the law, Chalkbeat reported.

These bills "overstep the government's legitimate authority" in K-12 schools, wrote Emerson Sykes, a staff attorney for the American Civil Liberties Union. "Instead of encouraging learning, the bills effectively gag educators and students from talking about issues of the most profound national importance, such as the impact of systemic racism in our society.



—Nuthawut Somsuk/Stock/Getty

This is a blatant attempt to suppress speech about race these lawmakers disfavor."

The content of these laws is also confusing to some teachers. Betty Collins, an 8th grade U.S. History teacher in Union Public Schools in Tulsa, said that some pieces of the Oklahoma law misunderstand what's actually going on in classrooms.

For example: The law prohibits teaching that anyone is inherently racist, sexist, or oppressive by virtue of their race or sex. But Collins says that's not what social studies teachers say when they're teaching about racism.

"Nobody is teaching, 'You, white male, are horrible, you should feel guilty for the way that you're born,'" said Collins, who is white. "What people are saying is that the laws and systems of our country were purposefully developed to elevate white, cis males. That is the truth. It doesn't mean that any one person is to blame for that. But it does mean that we as a culture and we as a society have a responsibility to make sure that in further laws and further systems, that is erased."

She doesn't think that this specific clause in the law will affect her classroom practice. But other parts of it worry her—like language saying that a course can't include the idea that "any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex."

Every year, Collins has her students listen to narratives of formerly enslaved people collected by the Federal Writers Project in the 1930s, and then discuss them together as a

class. The project can be emotionally difficult, Collins said: "The number of middle school boys that cry during those conversations, you wouldn't believe it." But she said it also fosters empathy and helps students build a deeper understanding of history.

Now, she thinks she could face retaliation from parents for assigning it. "If a kid comes home and says they're uncomfortable, now you're breaking the law," Collins said.

This language about guilt and psychological distress also concerns Lane, the Checotah High School teacher. He covers the Tulsa Race Massacre in class: the day in 1921 when a white mob attacked the homes and businesses of Black residents in the Greenwood neighborhood of Tulsa, decimating an area known as "Black Wall Street" and killing and injuring hundreds.

"How do you leave that out of the history book?" Lane said. "And if I teach that, am I going to cause a student to feel discomfort, guilt, or anguish?"

The 1921 Tulsa Race Massacre Centennial Commission, set up to commemorate the hundred-year anniversary of the event this year, removed Oklahoma's Gov. Kevin Stitt from the group last week, after he signed the bill into law.

Oklahoma's law does specify that none of the new restrictions should be interpreted to prohibit the teaching of concepts aligned to the Oklahoma Academic Standards—which, in social studies, include the Tulsa Race Massacre.

Other legislation has similar clauses: Tennessee's says it shouldn't be interpreted to

ban “impartial instruction on the historical oppression of a particular group of people;” Iowa’s claims it shouldn’t be used to “inhibit or violate the First Amendment rights of students or faculty.” And in Arizona, where a bill is moving through the legislature, sponsor Rep. Michelle Udall has said that “accurate portray-

al of historical events” would be permitted.

Still, Lane feels that the language outlining what is and is not allowed leaves too much up for interpretation—it’s not clear, he said, if a teacher would be in the wrong if something in the state’s social studies standards made students feel uncomfortable.

If teachers are self-censoring, it’s the students who will lose out, said Oglesby: “It’s unfortunate, because it’s going to have the biggest impact on students of color. It’s saying we know that you have a history in this country, but we’re not going to discuss it in this classroom.” ■



wildpixel/Stock/Getty

Published on May 17, 2021

Group Seeks Federal Probes Into Schools That Pledge to Address Systemic Racism

By Andrew Ujifusa

A national advocacy group that opposes anti-racist efforts in schools is trying to use a federal civil rights law against districts that have declared that they have a systemic racism problem, which many educators consider the first step in addressing racism, or are taking steps to reduce racial tension.

The group Parents Defending Education has filed federal civil rights complaints against several districts around the country, arguing

that when districts announce the presence of systemic racism in their schools they are admitting to a violation of federal law and should be subject to penalties that could include losing federal money.

Yet critics say the tactic is “malicious” and could discourage school districts from making that first important step toward dealing with structural racism by saying that it exists in their schools.

The group’s latest such complaint, filed with the U.S. Department of Education’s office for civil rights May 10, seeks a probe into the Columbus, Ohio, school district, which publicly

declared last month “there is systemic racism within our education system.”

In March, Parents Defending Education filed similar complaints with the department against the Webster Groves School District in Webster Groves, Mo.; the Orange County Schools, in Hillsborough, N.C.; and the Hopkins Public Schools, in Hopkins, Minn.

Such complaints are a bad-faith exercise designed to have a chilling effect on schools and districts that want to tackle inequities and help students of color, said Liz King, the director of education policy at the Leadership Conference on Civil Rights.

King said it’s telling that, in the Columbus case, Parents Defending Education did not cite information from the district about actual racial disparities, such as the fact that Black students make up 54 percent of Columbus schools’ enrollment, yet just 27 percent of enrollment in gifted and talented programs, and 72 percent of out-of-school suspensions.

“They want to shut down even the mere discussion of racial inequity, because they know the discussion is a precondition to real solutions,” said King. “The problem is not acknowledging those inequities. The problem is failing to remedy those inequities. They are asking the federal government to intervene and shut down a conversation.”

Nicole Neily, president of Parents Defending Education, rejected the assertion that the group was merely using the complaints to create a chilling effect on districts.

“If a school has asserted that they are racist, that deserves investigation—period,” she said in an emailed response. “Discrimination against students is a serious issue, and allegations about it are not something that should be thrown around performatively.”

As a practical matter, meanwhile, OCR investigations “take considerable human and fiscal resources” when it comes to how districts have to respond, said Sasha Pudelski, the advocacy director for AASA, the School Superintendents Association.

“OCR investigations are incredibly time-consuming and burdensome for districts, some-

times taking years to resolve based on the scope of the complaint and the data and policies that are required to be collected, reviewed and reported,” Pudelski wrote in an email.

In response to a request for comment, Jacqueline D. Bryant, a spokeswoman for the Columbus district, said in a May 11, 2021 email that, “The District is not aware of this administrative complaint. It would not be appropriate to comment until we’ve been contacted by the U.S. Department of Education, Office for Civil Rights, regarding this request to investigate.”

The other three districts did not respond to requests for comment by Education Week’s deadline.

Group presses its agenda nationally

Parents Defending Education opposes what it calls “woke” curricula and efforts to divide students and others into “oppressor” and “oppressed” groups. The nonprofit organization highlights instances of parents and others opposing those and other initiatives in classrooms and schools.

The group’s staffers work or previously worked at organizations such as the Cato Institute, a libertarian think tank; the Thomas B. Fordham Institute, a K-12 organization focused on accountability and school choice; and Coalition for TJ, a group that has opposed changes to admissions policies at Thomas Jefferson High School for Science and Technology in Virginia.

The group also filed a brief in the high-profile case about student speech before the U.S. Supreme Court, *Mahanoy Area School District v. B.L.* One of the brief’s authors, attorney William Consovoy, worked for former President Donald Trump on controversial ballot-access issues.

In addition to its recent civil rights complaints, Parents Defending Education has filed Freedom of Information Act requests against several districts seeking information about things like a district equity council in the Alamo Heights district in San Antonio, Texas, and a racial equity audit in the South Kingstown district in Wakefield, R.I.

In its OCR complaint against Orange County Schools, the group says the district’s move to create “affinity spaces” to build community and reduce racial harm amounts to “explicit racial segregation.”

Zeroing in on school district rhetoric

The complaint against the Columbus district points to a statement from the school board in April 2021 that said district leaders were work-

“

Discrimination against students is a serious issue, and allegations about it are not something that should be thrown around performatively.”

NICOLE NEILY

PRESIDENT OF PARENTS DEFENDING EDUCATION

ing to end the “systemic racism that has existed for 175 years within the Columbus City Schools education system” by “developing culturally responsive staff” and “equitable policy.”

The statement, which references the conviction of former Minneapolis police officer Derek Chauvin for the murder of George Floyd, goes on to list ways in which systemic racism persists in the school district, but also in the city, the local police department, and the local criminal justice system. “Your Board of Education is calling it out and ready to take action to address systemic racism in Columbus,” the board also says.

Parents Defending Education said in its complaint seeking a federal investigation that the Columbus school board’s approach is clearly problematic.

“As the Department of Education is no doubt aware, such an admission of ‘racism’ from a district superintendent raises concerns that Columbus City Schools has received federal funds in violation of Title VI of the Civil Rights Act of 1964,” the group’s president wrote, referring to the landmark federal law that prohibits discrimination on the basis of race, color, and national origin in programs receiving federal assistance.

Federal enforcement machinery is complex

The Education Department declined to comment on the civil rights complaints against the four districts by Parents Defending Education.

The department’s office for civil rights has an extensive case-processing manual for how it handles probes into various types of alleged dis-

crimination. Complaints filed with the office often deal with issues like racial disparities in discipline and services for students with disabilities.

But the speed at which the office for civil rights resolves or disposes of complaints became a point of contention during the Trump administration.

Three of the Parents Defending Education civil rights complaints also cite as a precedent a Trump administration probe into Princeton University in 2020 after similar statements about systemic racism by the university’s president.

The correspondence about Princeton from the Education Department highlighted by Parents Defending Education, however, indicated that this investigation would be conducted by its office of postsecondary education and office of the general counsel, not its office for civil rights.

In response to emailed questions from Education Week, Neily acknowledged that the Princeton investigation was not undertaken by the office for civil rights, and that Parents Defending Education would revise this statement “in future complaints.”

King, of the Leadership Conference on Civil Rights, stressed that the group’s mischaracterization of the Princeton probe undermines its complaints. “The Department of Education knows how to enforce compliance with Title VI [of the Civil Rights Act], and that is through the office for civil rights,” King said.

A heated political debate is in the background

It’s fair to question how seriously that office under the Biden administration would take such complaints, given its stance on systemic racism in an education context, as well as recent events.

The Education Department proposed new priorities for a small set of history and civics grants that reference the 1619 Project, a New York Times package of stories placing slavery and racism at the center of American history and policy, as well as work on anti-racism by the scholar and activist Ibram X. Kendi.

The proposal did not dictate that the grants be used to teach 1619 Project or Kendi’s work—the federal government is barred from creating or dictating curriculum in schools—but did say that under its proposal, the grants would prioritize instruction that accounts for discrimination and bias in American policy. It would also support instruction focused on diverse student perspectives.

The proposal sparked intense opposition from conservative policymakers and activ-

ists, although some left-of-center figures have also questioned key tenets of anti-racism. Sen. Mitch McConnell, R-Ky., the Republican leader in the Senate, called the proposed priorities for the American History and Civics Education grants “divisive nonsense.”

Outside of Washington, at least eight states so far this year have taken steps to restrict how educators address concepts such as racism and sexism in the classroom. These bills, for example, say it would be off-limits to teach that anyone should feel “discomfort, guilt, anguish, or any other form of psychological distress” because of their race or sex, or that the U.S. or specific states are fundamentally racist or sexist.

Policy makers behind such bills say they’re

combating a “poisonous” ideology that pits students against each other based on their race and tries to load collective guilt onto students’ shoulders. And a handful of states this year have also considered barring educators from using the 1619 Project in schools.

Critics of such moves allege that anti-racist education efforts can help students understand the impact of racism and sexism not just on individuals’ interactions with each other, but on American society and culture and on the roots of inequality that persist to this day. ■

Join the Conversation

In our upcoming episode of *A Seat at the Table*, Peter DeWitt sits down with lawyer-educator Janel George and EdWeek reporters, Stephen Sawchuk and Andrew Ujifusa, as they discuss what’s at the heart of the critical race theory debate, where the fury is coming from, and why educators should not shy away from the practice.

Published on April 15, 2021

8 States Debate Bills to Restrict How Teachers Discuss Racism, Sexism

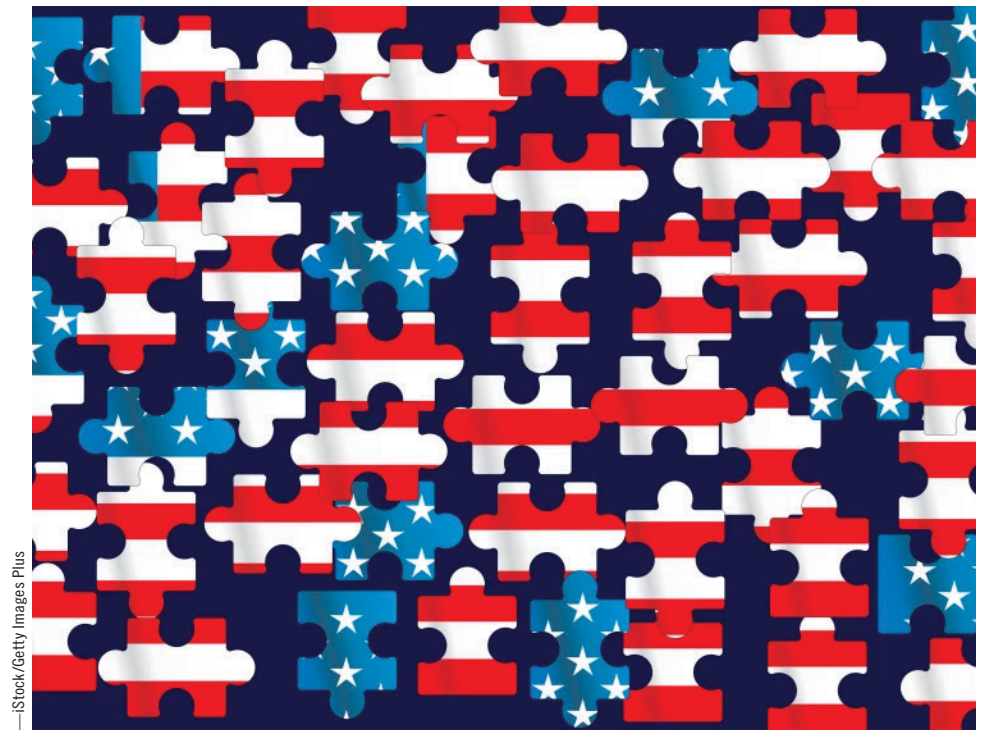
By Sarah Schwartz

Lawmakers in eight states have introduced legislation that may make it harder for teachers to talk about racism, sexism, and bias in the classroom.

Over the past few months, Republican legislators in Idaho, Iowa, Louisiana, Missouri, New Hampshire, Oklahoma, Rhode Island, and West Virginia have drafted bills that would ban the teaching of what they deem “divisive” or “racist and sexist” concepts. The bills use similar language as an executive order former President Donald Trump put in place to ban diversity trainings for federal workers.

Some of these new bills also aim to put restrictions on workplaces or state contractors. All of the legislation uses similar phrasing in listing topics that would be off-limits to teach, including:

- That one race or sex is inherently superior to another race or sex;
- That the U.S. or specific states are fundamentally racist or sexist;
- That individuals, because of their race or sex, are inherently oppressive, whether consciously or unconsciously;



—iStock/Getty Images Plus

- That individuals bear responsibility for actions committed in the past by members of their same race or sex;
- That anyone should feel “discomfort, guilt, anguish, or any other form of

psychological distress” because of their race or sex.

The language outlining “divisive concepts” in the proposed legislation copies sections of Trump’s executive order from September of last

year, which banned federal trainings designed to confront racism, sexism, and bias. President Joe Biden has since rescinded that order.

Several of these bills have stalled or died in committee—in New Hampshire, where the legislation has been tabled, the state’s American Civil Liberties Union chapter has argued that it would violate First Amendment rights. In other states, though, the proposals are moving through the legislature.

In Idaho, the issue has derailed budget negotiations. House Republicans refused to fund the teacher salaries budget unless a provision was added prohibiting schools from advocating for social justice education, citing inaction on a separate “racist and sexist concepts” bill, according to Idaho Ed News.

The Iowa bill passed the state Senate in March, and has already paused state efforts to discuss race in schools. The Iowa Department of Education recently postponed a conference on social justice and equity in education, originally scheduled for April, in response to the bill, Iowa Public Radio reported.

“We are mindful of pending legislation that may impact the delivery and content of certain topics related to diversity, equity and inclusion and postponing the conference will ensure the Department and Iowa’s educators are best positioned to comply with any legislation,” an event page for the conference reads. The statement notes that the department will plan to hold a conference in the fall.

These bills come at the same time some states have taken other steps to limit the ways in which racism, sexism, and inequity are discussed in schools. In North Carolina, Lt. Gov. Mark Robinson, a Republican, has formed a task force dedicated to “exposing indoctrination in the classroom,” asking parents to report lessons. Idaho’s lieutenant governor, Janice McGeachin, also a Republican, recently announced that she would form a similar task force.

And earlier this year, lawmakers in several states pushed to ban schools from teaching curriculum designed around the 1619 Project, a New York Times series that aims to reframe United States history by putting the legacy of slavery and the contributions of Black Americans at its center.

“Right now, we’re in a moment where terms like systemic racism aren’t only used at universities, or among people who talk about race. These are commonly used terms now. So we see a little shifting of the tide of what people understand racism to be,” said Kristen E. Duncan, an assistant professor of secondary social studies education at Clemson University. “Making schools a place where students

“

Right now, we’re in a moment where terms like systemic racism aren’t only used at universities, or among people who talk about race. These are commonly used terms now. So we see a little shifting of the tide of what people understand racism to be.”

KRISTEN E. DUNCAN

ASSISTANT PROFESSOR OF SECONDARY SOCIAL STUDIES EDUCATION, CLEMSON UNIVERSITY

would not learn about it that at all is kind of an attempt to put the genie back in the bottle.”

Waves of pushback can be expected when calls for social change include curriculum, said Andrew Hartman, a professor of history at Illinois State University, who has written a book about the history of the culture wars in American schools.

“When there are social movements pushing for justice in terms of race, and sexuality, and gender, these movements are going to generate a lot of controversy,” he said. “Conservatives are going to push back however they can. And if they control state legislatures, that’s a good way to do it.”

Bills’ sponsors say they oppose critical race theory

Legislators who have drafted these bills say they hope to prevent critical race theory from being taught in schools.

Critical race theory is an academic practice, a way of examining U.S. society that acknowledges how racism has driven and continues to drive inequity. Legal scholars, including Derrick Bell, Kimberlé Crenshaw, and Alan Freeman, first developed the field. In the decades since, the framework has also been used to study education systems, examining school segregation, and inequities in instruc-

tion, assessment, and school funding.

“It’s an approach to grappling with a history of white supremacy that rejects the belief that what’s in the past is in the past, and that the laws and systems that grow from that past are detached from it,” Crenshaw told TIME in September of 2020.

Patricia Morgan, a Republican in Rhode Island who proposed the state’s divisive concepts bill, called critical race theory “a divisive, destructive, poisonous ideology” that encourages people to judge each other by the color of their skin.

“It makes white males oppressors ... and it makes everyone else the victims,” she said in an interview with Education Week.

But Adrienne Dixon, a professor of education policy, organization, and leadership at the University of Illinois who has edited several books on critical race theory in education, said that these lawmakers “completely misunderstand” what the practice is.

“Critical race theorists would say, absolutely, that people shouldn’t be discriminated against by virtue of their race or sex. We don’t locate individuals as responsible for structural racism,” Dixon said. Instead, she said, scholars acknowledge that racism informed the country’s founding principles, and that some groups have to “agitate and organize and demand and protest” to secure rights.

“I think in a sense, they’re setting up strawmen, and claiming that things are happening [in the classroom] that I think are not happening,” Maureen Costello, the executive director of the Center for Antiracist Education, said of the legislators proposing these bills.

For example, teaching about the legacy of slavery and its far-reaching impact on the United States today is “not about assigning blame to the students in front of you,” Costello said. “It’s actually about inspiring them to do better in their lives.”

Decades of scholarship and testimony from people of color have long demonstrated the persistent racial bias and inequities that exist in the U.S., from education to medical care to housing. Still, some legislators reject the idea that racism and sexism are still forces that shape American society, and don’t want teachers telling this to students.

“What inequities do we deal with today? Everybody has equal opportunity,” said state Sen. Rick Brattin, who sponsored the Missouri bill.

“We’re a nation ... of equal opportunity for people to prosper or not prosper. To say that everyone should have equity in property and all things, that’s the antithesis of America. That’s socialism,” Brattin said.

Proposed legislation could have a chilling effect on teachers

This is hardly the first time that states or school boards have aimed to stop the teaching of certain subjects or ideas, said Hartman.

From the 1920s through the 1950s, Southern states led successful efforts to ban instruction in evolutionary biology. In the 1940s, 50s, and 60s, state legislators and local school boards tried to prevent teachers from examining capitalism through a critical lens, or prevented teaching about socialism or communism at all, he said.

Still, Hartman said, it's hard to imagine how "divisive concepts" legislation would be practically enforced, or that states would take the measures to do so. But any laws passed on this issue could still have a chilling effect on teachers, he said, if parents take it upon themselves to enforce them.

"This bill is very intentional in its approach to shut down equity work in districts. I think they can sugarcoat it however they want. That is what the bill is intended to do," said Jenny

Risner, the superintendent of Ames Community School District in Ames, Iowa.

Leaders in the district, which participated in the national Black Lives Matter at School Week of Action in February as part of its ongoing equity work, were asked to speak in front of the state's House Oversight Committee after parents brought concerns to lawmakers. Goals for the week included supporting all students to feel affirmed at school; examining how the voices, accomplishments, and successes of Black people were represented in curriculum; and questioning whether any district instructional practices prevented students from bringing their "whole selves" to school.

Anthony Jones, the district's director of equity, is concerned about how state leaders might decide what is or is not "divisive," potentially shutting down lessons that could lead to productive change.

"When we're having conversations about things that we're unaware of or even uncomfortable with, we need to lean into that so we can learn," Jones said. ■

Copyright ©2021 by Editorial Projects in Education, Inc. All rights reserved. No part of this publication shall be reproduced, stored in a retrieval system, or transmitted by any means, electronic or otherwise, without the written permission of the copyright holder.

Readers may make up to 5 print copies of this publication at no cost for personal, non-commercial use, provided that each includes a full citation of the source.

For additional print or electronic copies of a Spotlight or to buy in bulk, visit www.edweek.org/info/about/reprints.html

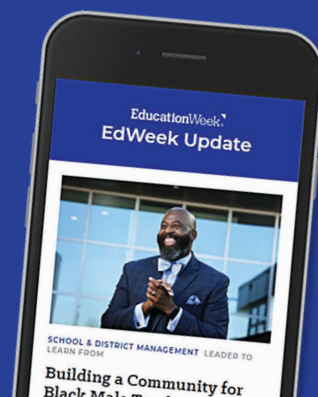
Published by Editorial Projects in Education, Inc.
6935 Arlington Road, Suite 100
Bethesda, MD, 20814
Phone: (301) 280-3100
www.edweek.org

Start your day with us.

EdWeek Update

Stay on top of everything that matters in K-12

SIGN UP



EdW

EducationWeek®

SPOTLIGHT

Get the information and perspective you need on the education issues you care about most with Education Week Spotlights

The Achievement Gap • Algebra • Assessment • Autism • Bullying • Charter School Leadership • Classroom Management • Common Standards • **Data-Driven Decisionmaking** • Differentiated Instruction • Dropout Prevention • E-Learning • ELL Assessment and Teaching • ELLs in the Classroom • Flu and Schools • Getting The Most From Your IT Budget • Gifted Education • Homework • **Implementing Common Standards** • Inclusion and Assistive Technology • Math Instruction • Middle and High School Literacy • Motivation • No Child Left Behind • Pay for Performance • **Principals** • Parental Involvement • Race to the Top • Reading Instruction • Reinventing Professional Development • Response to Intervention • School Uniforms and Dress Codes • Special Education • STEM in Schools • **Teacher Evaluation** • Teacher Tips for the New Year • Technology in the Classroom • Tips for New Teachers



VIEW THE COMPLETE COLLECTION OF EDUCATION WEEK SPOTLIGHTS

www.edweek.org/go/spotlights