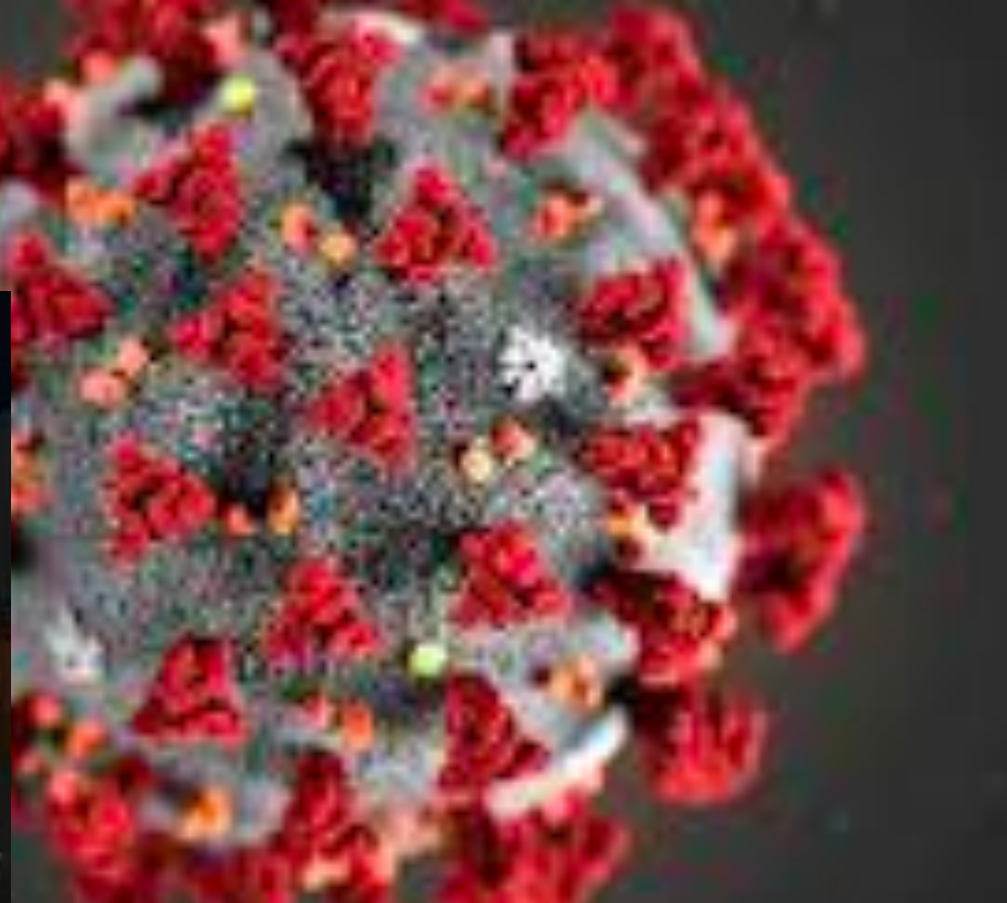


Legislation Impacting Race and Education

Report as of **November 10, 2022**

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What is Critical Race Theory?

Critical Race Theory "is an academic and legal framework that denotes that systemic racism is part of American society — from education and housing to employment and healthcare. Critical Race Theory recognizes that racism is more than the result of individual bias and prejudice. It is embedded in laws, policies and institutions that uphold and reproduce racial inequalities." ([Legal Defense Fund](#))

Three Main Areas are Being Restricted Nationally:



Prohibiting (Non-Scholarly) Critical Race Theory from being Taught in Edu. and Public Institutions



Banning of Books that discuss Race, Racism, Discrimination or CRT



Emphasis on Psychological Distress and Encouragement of Legal Action

Definitions:

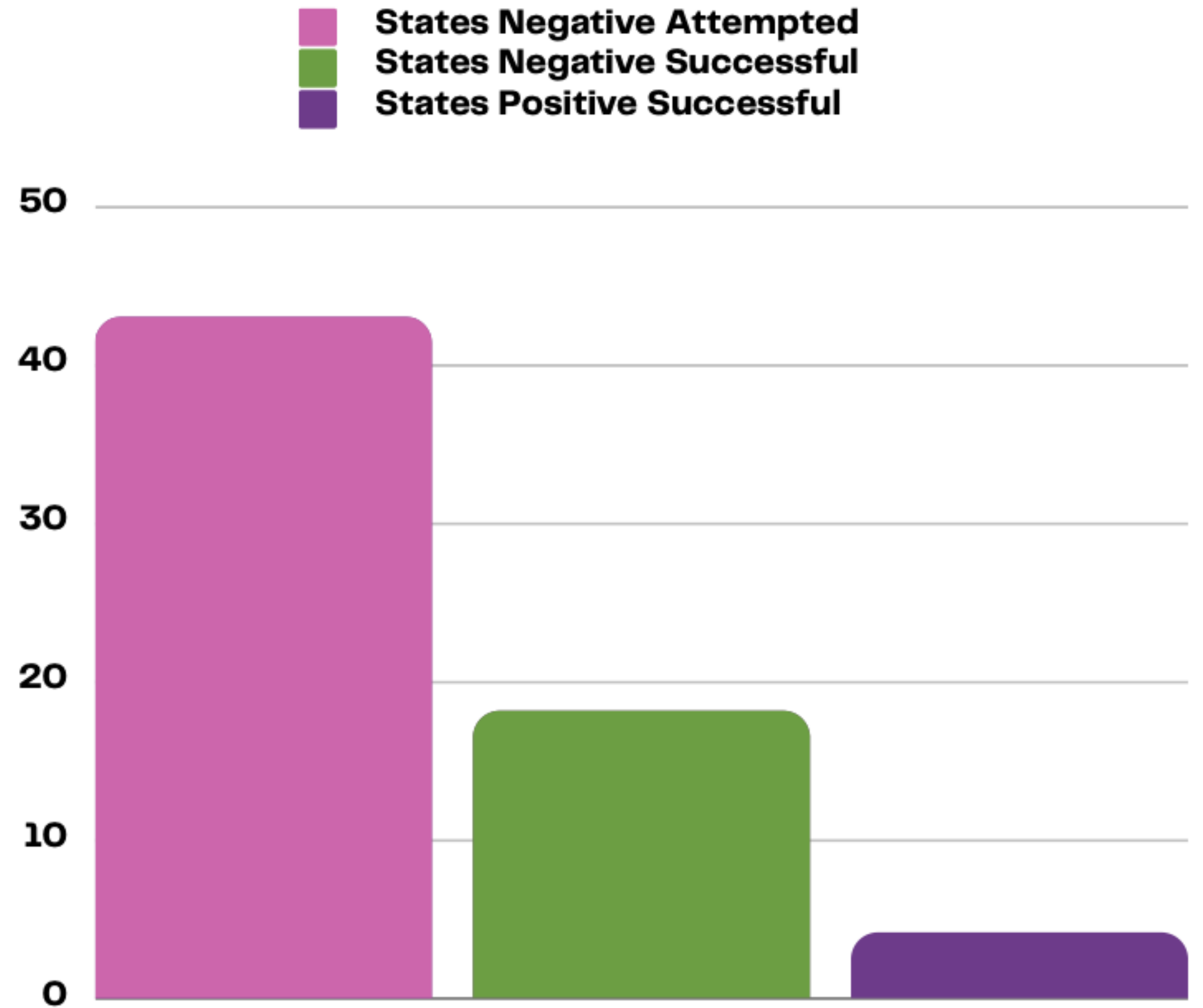
Positive Legislation:

- **Legislation that supports communities of color and increases race-related content in curriculum.**

Negative Legislation:

- **Legislation that harms communities of color and decreases race-related content in the curriculum.**

Synopsis of the Data: States



What was the Catalyst this time?

Background – What brought us to this point:

- 01 Christopher Rufo – Senior Fellow at the Manhattan Institute**
Christopher began writing on the dangers of CRT, Indoctrination of children, and dangers of woke education. The institute is headed here in New York.
- 02 Christopher Rufo is Interviewed on the Tucker Carlson Show July – September of 2020.**
- 03 President Donald Trump signs Executive Order on 09/22/2020**
- 04 Immediately Dozens of States Introduce Legislation**

The Trump Effect on Critical Race Theory: Executive Order 13950

(a) “Divisive concepts” means the concepts that (1) one race or sex is inherently superior to another race or sex; (2) the United States is fundamentally racist or sexist; (3) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously; (4) an individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex; (5) members of one race or sex cannot and should not attempt to treat others without respect to race or sex; (6) an individual's moral character is necessarily determined by his or her race or sex; (7) an individual, by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex; (8) any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; or (9) meritocracy or traits such as a hard work ethic are racist or sexist, or were created by a particular race to oppress another race. The term “divisive concepts” also includes any other form of race or sex stereotyping or any other form of race or sex scapegoating.

(b) “Race or sex stereotyping” means ascribing character traits, values, moral and ethical codes, privileges, status, or beliefs to a race or sex, or to an individual because of his or her race or sex.

(c) “Race or sex scapegoating” means assigning fault, blame, or bias to a race or sex, or to members of a race or sex because of their race or sex. It similarly encompasses any claim that, consciously or unconsciously, and by virtue of his or her race or sex, members of any race are inherently racist or are inherently inclined to oppress others, or that members of a sex are inherently sexist or inclined to oppress others.

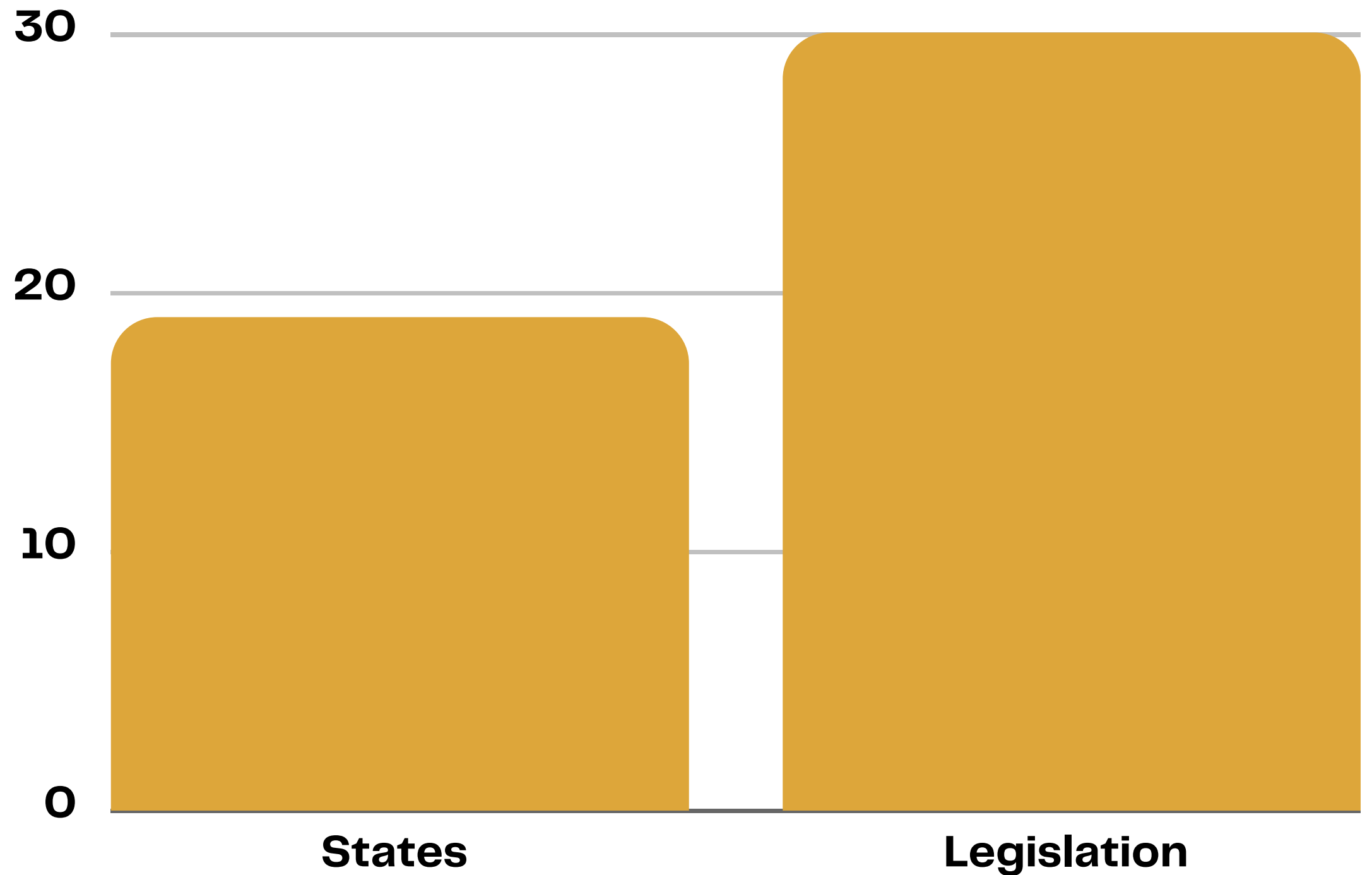
Bills Impacting Race and Education:

Here are their popular phrases to describe the theory –

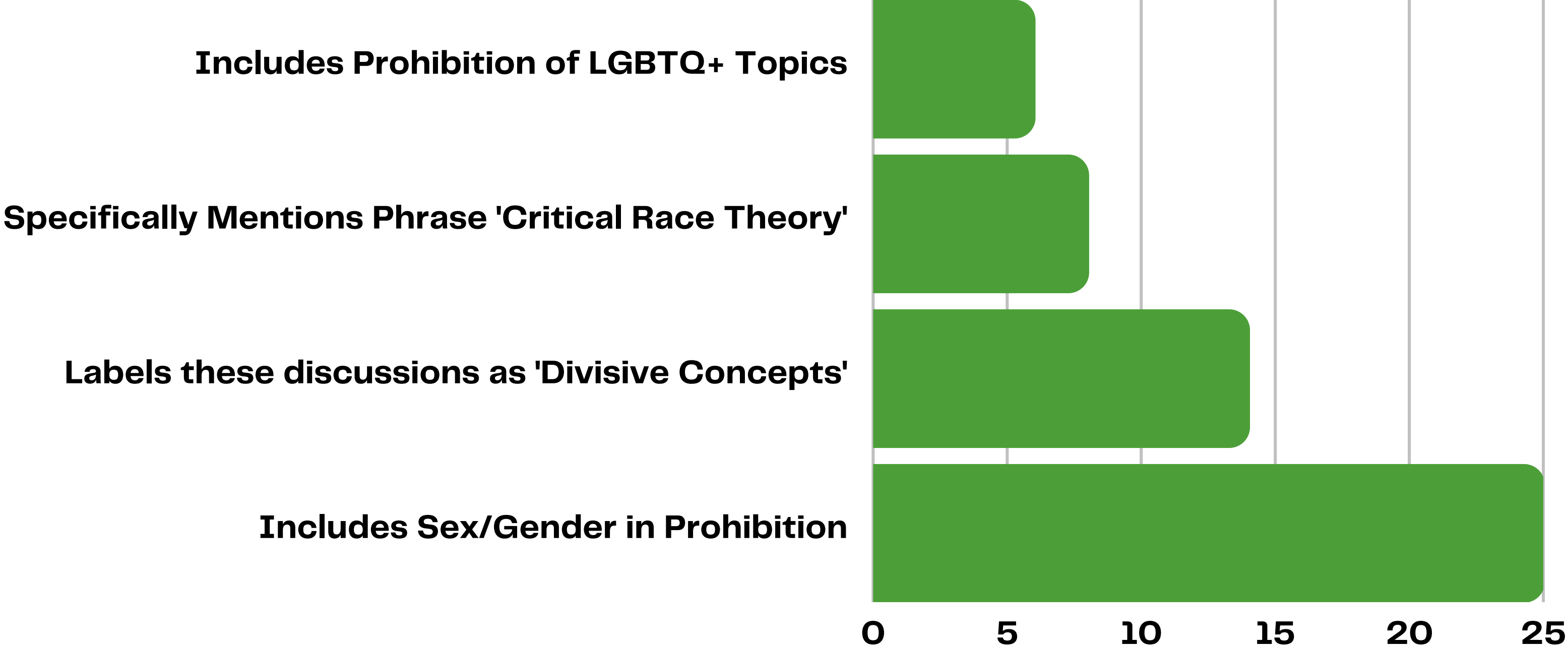
All Four are exact quotes from [Executive Order 13950](#)

- 01** "Race or Sex Scapegoating" and "Race or Sex Stereotyping"
- 02** "Divisive Concepts"
- 03** "An individual by virtue of their race should not feel anguish, guilt or any other form of Psychological Distress"
- 04** "The United States is Fundamentally or inherently Racist"

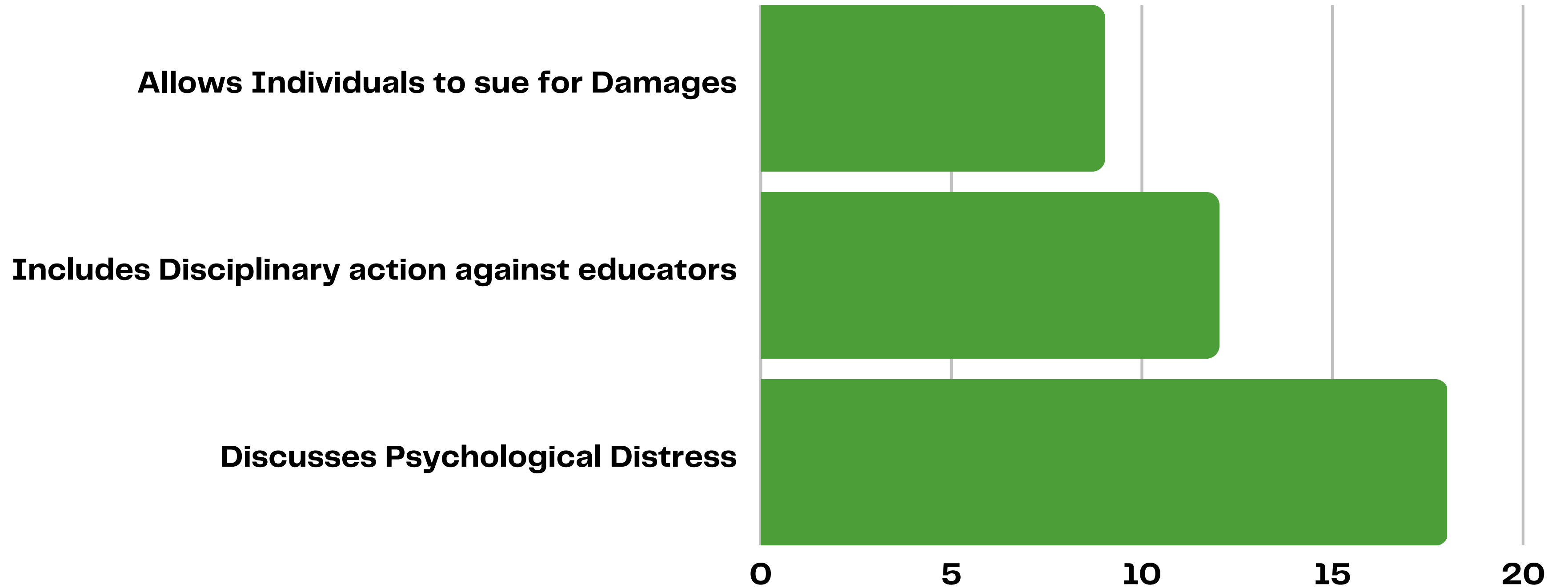
Analyzing the New Laws:



How may the Legislation Guide Curriculum?



What can the Legislation mean for Educators?



Most Challenged and Banned Books Nationwide:

**Reasons behind these book bans included:
anti-police messaging, divisive language,
indoctrination of the social agenda, or too
violent depictions of slavery.**

- **Something Happened in our Town:
A Child's Story about Racial
Injustice by Celano et al.**
- **All American Boys by Reynolds et al.**
- **Stamped: Racism, Antiracism and
You by Ibram X. Kendi and
Reynolds.**
- **The Hate you give by Angie
Thomas**
- **The 1619 Projects Curriculum by
New York Times**
- **Beloved by Toni Morrison**

Emphasis on Judicial Legislating & Psychological Distress:



**Psychological Distress and
pushing Legal Action
regarding CRT.**



**Montana State Prosecutor
Ban's Critical Race Theory in
May 2021**



**Arkansas District Attorney
Issues an Opinion:**

A street-level view of a city street in New York City, featuring tall, multi-story buildings with classical architectural details like columns and arches. A Starbucks coffee shop is visible on the right side of the street. The sky is clear and blue. The text 'Let's hone in on New York:' is overlaid in large, bold, black letters on a semi-transparent white background.

Let's hone in on New York:

New York State:

Race and Education

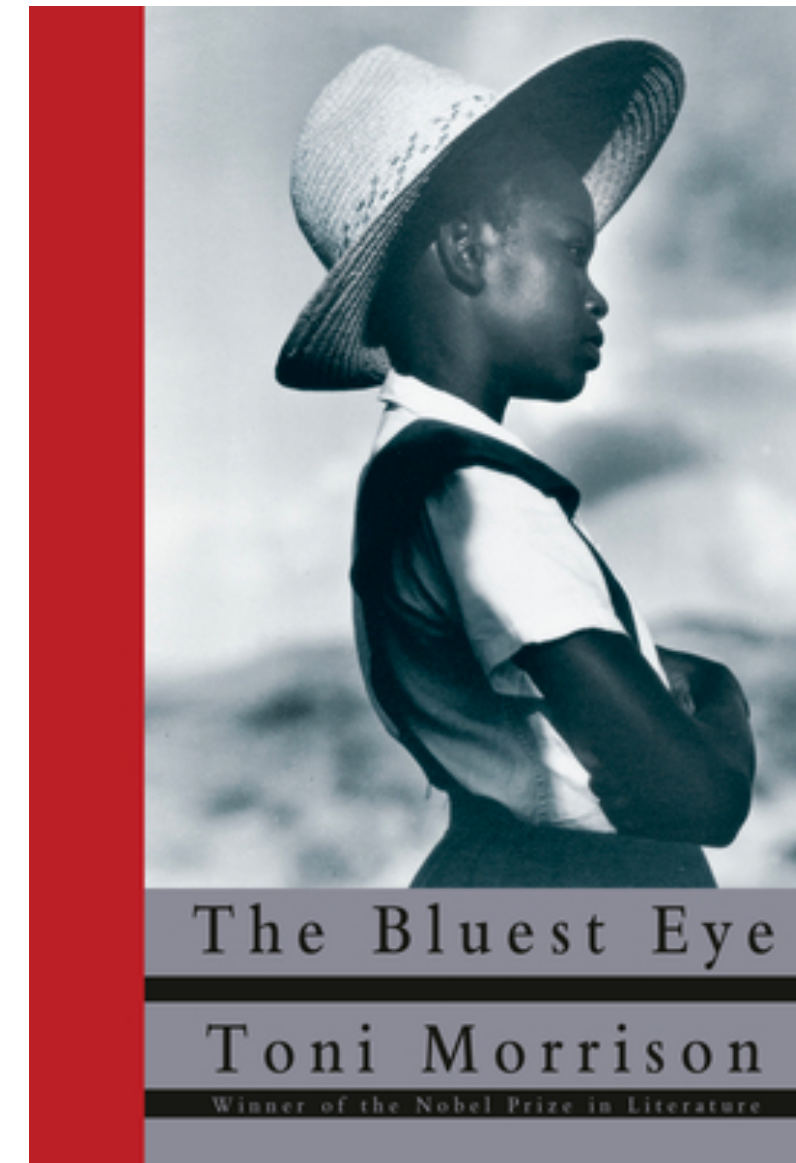
Key Actions:

- **Banned Books**
- **An attempt to Prohibit CRT: A 8253**
- **Recent Executive Order:**
- **Key Groups**
- **Positive City Initiatives**

21%

Of All Book Bans in the U.S. are related to race or racism in the material. – PEN American

New York (2021-2022) 13 bans, 4 districts



New York State: A 8253 & Executive Order

Introduced in the 2021 and 2022

Legislative Session:

- Would prohibit all NY school districts from curriculum utilizing CRT.
- Ban the 1619 Projects Curriculum
- Emphasis on Psychological Distress.

Executive Order:

- Establishes an Commission on African American History and Education, their first assignment – present findings to the Governor by July 2023.

Key Groups: Negative Impacts



Free
TO LEARN

MOMS *for*
★ **LIBERTY** ★

MANHATTAN
INSTITUTE



1776 PROJECT PAC

New York:

City Initiatives

- **Brooklyn Preparatory School Pilot Program for AP African American History**
- **NYC sets aside \$10 million in funds requiring the public school system to develop a new K-12 black history and studies curriculum - New York Post**

Overview

1 Educational Gag Orders

2 Only 3 states have legislated (state-wide) protection or cultural competency requirements.

3 There are many potential solutions



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