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(UN)HIDDEN WHITENESS: A CRITICAL POLICY ANALYSIS  
ON RACE-RELATED EDUCATION POLICIES

by

Kerry Foraker Green

DISSERTATION

Submitted in partial fulfillment of the requirements

for the degree of Doctor of Philosophy in Educational Leadership and Policy Studies at

The University of Texas at Arlington

May 2023

Arlington, Texas

Supervising Committee:

Ericka Roland, Ph.D., Supervising Professor

Catherine Robert, Ed.D.

Annie Daly, Ph.D.

**Abstract**

(UN)HIDDEN WHITENESS: A CRITICAL POLICY ANALYSIS  
ON RACE-RELATED EDUCATION POLICIES

Kerry Foraker Green, Ph.D.

The University of Texas at Arlington, 2023

Supervising Professor: Dr. Ericka Roland

Over the last three years (2020-2023), many state legislatures responded to grassroots campaigns for social justice by enrolling legislation that explicitly and implicitly bans Critical Race Theory (CRT) and controls race-related instruction and training. This study examines race-related educational policies enacted by Iowa, Texas, and Florida legislation as leading examples of these efforts. The research question guiding this study was how educational school policies related to CRT in Texas, Florida, and Iowa are framed in state documents. The legislative frame includes the process and language that is utilized in crafting these bills to reveal the policies origins and goals. Three findings were identified using critical policy analysis (CPA) and Tema Okun's (2021) white supremacy culture framework. The findings included (1) the development of this legislation revealing the policy goals of the context of control, (2) the naming of racism, and (3) the delivery of race-related content. By highlighting the policy context, framing, and text of the race-related bills, this study advances scholarship on K-12 educational policy around race and racism.



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## Acknowledgments

Like any good travel story, my dissertation journey contained hills and valleys, storms and sunshine, hardships and joy, which were made better by my dissertation companions.

Firstly, I want to acknowledge my abiding partners. As my dissertation chair, Dr. Ericka Roland provided guidance and support while challenging me to be the best scholar I could be. She brought me into the work of social justice, and I am so grateful and inspired. More than the role of a dissertation chair, she taught me the value of a community. My writing partner, Erin Lewis, showed me what Sisterhood is now and for the future. Her support and constancy kept me company on this less-traveled road. I cannot express how much your friendship means to me. My husband, Joel, encouraged me to keep going even when I was ready to give up. Also, Joel never expressed frustration with my divided attention and priorities. His love and support mean the world to me. There is no one else I want to travel alongside. Without the three of you, I would not be here at the end of this dissertation journey.

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Lastly, I would like to acknowledge Team Blocka Blocka! Your support and community made the journey less lonely and isolating. I appreciate all of you more than I can say.

## Dedication

**For now, we see through a glass, darkly; but then face to face: now I know in part; but then shall I know even as also I am known. - 1 Corinthians 13:12**

This dissertation is dedicated to the younger versions of myself and is the culmination of a desire not to be defined by my circumstances.

I dedicate this to my preschool self, looking at phonics picture books with felt letters, who learned to read without direct instruction.

I dedicate this to my elementary self, who found the escape in stories and power in knowledge through which I could protect myself.

I dedicate this to my pre-teen self, who lacked the confidence and support to be myself. It was a lie that boys did not like smart girls and that I should keep quiet.

I dedicate this to my adolescent and young-adult self, who was embarrassed by the comments that I was smart and desperately wanted to be like everyone else. Welcome to the 2% of people with doctoral degrees!

I dedicate this to myself as a young mother and wife in a bad situation who was told the problem was me and that I should be more obedient. So, about that....

I dedicate this to myself as a single mother fighting for custody of my children because I wanted an education. The efforts to stop me did not work.

I dedicate this to my current self. The future is still unknown, but it is yours. Step into it.



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## CHAPTER 1

### INTRODUCTION

While educational policies can be created to address society's needs and concerns, educational policymaking can also become a tool for constructing social hierarchies that preserve dominance and oppression (i.e., white supremacy and racism). Historically in the United States, whiteness has been the standard against which educational policy is created to legitimize and extend race inequities in schools. The framing of racism, race relations, and race equity in educational policy has evolved over time. Yet, race equity-based policymaking is often met with pushback and the re-establishment of whiteness or color-evasiveness ideologies (Hyttén & Stenmagen, 2021; Leonardo, 2009). As researchers call for increased attention to the structural racism that is maintained through educational policy (de Saxe, 2021; Demoiny, 2018; Diem & Carpenter, 2013; Gillborn et al., 2017; Leonardo, 2015; Martell & Stevens, 2018, 2019), there must be a focus on how race-related policies are framed through process and language to understand how white supremacy ideologies are (un)hidden to restrict racial equity.

#### **Background**

This study examines the emergence of Critical Race Theory (CRT) as a controversy and threat in education. The social-political context further explains the policy environment.

#### **Critical Race Theory**

In the 1970s, critical legal scholars questioned the intransigence of law and policy to produce and maintain racism despite the Civil Rights Movement, thus creating CRT as an analytical framework (Brown & Jackson, 2013). CRT begins with the belief that racism is present through institutional power like legal and educational systems (Crenshaw et al., 1995). Derrick Bell (1979) critiqued the legal premise in the *Brown v. Board of Education* (1954) decision that the



pinnacle of equality is color-evasive law and meritocracy. The *Brown v. Board of Education* (1954) decision was brought about through interest convergence that elevated Black people's interests because the geopolitical context of the Cold War made segregation untenable against the narrative of American social mobility and opportunity<sup>1</sup> (Bell, 1979). Other scholars have reached the same conclusion as Bell (1979) about the failure of integration by noting the impact on Black educators and schools (Ethridge, 1979; Hudson & Holmes, 1994; Peters, 2019). Hypocrisy exists when claims of equal opportunity and anti-discrimination ignore the reality of race and racism, a feature of post-Civil Rights era liberalism (Bell, 1979). Crenshaw (1995) noted that "one is much more likely to be accused of being racist by raising the race question than by continuing past practices that reproduce racial hierarchy" (p. 9). Racialization and power dynamics around racial identities impact how one moves through the world; therefore, analysis of social structures cannot ignore race (Crenshaw, 1995). Furthermore, CRT is an analytical tool to uncover how racism hides within laws, policies, and practices maintaining a racial hierarchy.

The tenets of CRT address the systems and structures of racism and their impact on the experiences of People of Color in the United States (Lynn & Parker, 2006). Racism, both intentional and unintentional, exists in daily life for People of Color and must be challenged to bring about systemic change (Capper, 2015; Gillborn, 2005; Harris, 1993; King & Chandler, 2016; Ladson-Billings & Tate, 1995; Tatum, 1997/2017). The tenets of CRT include the following:

1. The permanence of racism exists in society. CRT recognizes that educational policy inherently centers race through "mundane practices and events infused with some degree

---

<sup>1</sup> The Truman (1945-1953) and Eisenhower (1953-1960) administrations were motivated to address civil rights and desegregation to 1) maximize the human capital of the United States, and 2) appeal to countries in Asia and Africa that were choosing ideological sides (Hartman, 2008).

of unconscious racial mal-intent” or overt racism like de jure segregation (Lynn & Parker, 2006, p. 277).

2. Interest convergence between the antiracist interests of People of Color and White interests is required for social change. Attention to racism and racial progress only occurs when interests converge between the needs of White society and People of Color, making antiracism efforts less effective (Bell, 1979; Capper, 2017). When interests do not converge, the resistance to social change grows (Bell, 1995a).
3. Whiteness as property holds value and is protected by hierarchy. Whiteness as property exists in education through curriculum and deficit perceptions of Students of Color, primarily because White people dominate the profession and institutions (Sleeter, 2017). Whiteness led to the assumption that integration with Whites would improve educational outcomes for Black students (Bell, 1995b), even though integration occurred to resolve geopolitical criticisms.
4. Counternarratives relate a different perspective on race and racism. Counter-storytelling provides an alternate narrative of lived experience that questions assumed truths (Capper, 2017). Master narratives of white culture perpetuate racism and must be challenged (Capper, 2017; Solorzano & Yosso, 2002).
5. There is a critique of liberalism that views society as a race-neutral, competitive marketplace. The status privileges of whiteness allow for the belief in color-evasiveness and meritocracy, justifying willful ignorance and neutrality (Sleeter, 2017).
6. Intersectionality examines how race combines with other oppressions, like gender, sexuality, ethnicity, and class (Crenshaw 1995). Intersectionality allows for complexity and broadens the perspectives of analysis (Harris & Leonardo, 2018).

CRT analysis in education research began with Gloria Ladson-Billings and William F. Tate IV (1995) in a study of inequity in schooling. The study analyzed education post *Brown v. Board of Education* using this legal analysis about whiteness as property to critique the educational reforms for Students of Color. Ladson-Billings and Tate (1995) found that attempts to address racism in education were not radical, ineffective, and unchallenging of the status quo. Policies embedded racism in education with negative consequences for Black students. As applied to K-12 educational policy, CRT is now a frequent framework used in educational research (Dixson & Rousseau Anderson, 2017; Ledesma & Calderon, 2015). Daria Roithmayr (1999) explained the role CRT plays in educational research:

"Much of the national dialogue on race relations takes place in the context of education - in continuing desegregation and affirmative action battles, in debates about bilingual education programs in the controversy surrounding race and ethnicity studies departments at colleges and universities. More centrally, the use of critical race theory offers a way to understand how ostensibly race-neutral structures in education - knowledge, truth, merit, objectivity, and 'good education' - are, in fact, ways of forming and policing the racial boundaries of white supremacy and racism" (p. 4).

Ladson-Billings (1999) emphasized that CRT tells the story of racial categories and the varied social constructions of those categories between White and Black as they function in schools. CRT is an experience with different perspectives: "Thus, the strategy becomes one of unmasking and exposing racism in its various permutations" (Ladson-Billings, 1999, p. 12). More recently, Ladson-Billings (2021) asserted that the recent discussions about race-related instruction in schools did not emerge from education but from larger societal forces uncomfortable with racism.

In an interview with *Democracy Now!*, Crenshaw asserted that the current anti-CRT movement in education is not about education but about silencing discussions on past and present racism (Goodman, 2022). Crenshaw explained: “They [political groups] rooted around and found critical race theory as the container into which they poured the entire apparatus of antiracism” (para. 6). Crenshaw notes this backlash sparks confusion among many educational stakeholders because CRT is misunderstood. Indeed, the African American Policy Forum (n.d.) noted that the social-political tensions regarding CRT in education are about maintaining a racial hierarchy. In other words, race and racism are tools that those with power use for their ends.

### **Current Social-Political Context**

In the summer of 2020, the murder of George Floyd caused waves of protests against systemic racism and inequality in many areas of American life, including educational systems. Districts faced critiques of school resource officers, building names, microaggressions, racist curricula, and racial avoidance in instruction (Education Week, 2021). Racial incidents and public discourse continue to put race and racism in the headlines, maintaining pressure for change and reform. The prevalence of public debate and discussion on the impact of racism in American society positioned CRT as an analytical tool for potential solutions for racism in academia and policymaking. However, resistance to change for racial justice emerged as quickly as the protests in the summer of 2020 due to statements by President Donald Trump, Republican politicians, and conservative media figures (Grynbaum et al., 2020). Those statements reflected anxiety about the changes being demanded by protesters, exemplifying the polarization of attitudes about racial justice. That political polarization spread to how schools addressed racism in student and employee training and influenced education policy regarding curricula and instruction at the state and local levels (Hixenbaugh & Hylton, 2021; Kleefeld, 2021).

In September 2020, President Trump alleged that narratives concerning race and racism in American history were “deceptions, falsehoods, and lies” (para. 11) and created a commission to challenge them. Shortly after, President Trump signed Executive Order number 13950 (2020), in which the section “Combatting Race and Sex Stereotyping” specified: “Therefore, it shall be the policy of the United States not to promote race or sex-stereotyping or scapegoating in the Federal workforce or the Uniformed Services, and not to allow grant funds to be used for these purposes” (para. 15). By January 2021, the President’s Advisory 1776 Commission released a report with a call for *patriotic education* that dismissed systemic racism as a problem in American society (Crowley & Schuessler, 2021). The 1776 Commission and Executive Order 13950 represent a federal effort to influence local education agencies’ decisions regarding racial bias and antiracism efforts.

State-level politicians, aligned with President Trump, pursued initiatives that connected state K-12 curricula and funding to any instruction about race (Pendharkar, 2022b; Schwartz, 2021b). By 2021, 42 states introduced legislation to control how teachers address race and gender in the classroom (Schwartz, 2022). Some of these bills specifically identified *The 1619 Project* (2019) or works by Howard Zinn, including *The Zinn Education Project* (2021), as banned curricular resources (Schwartz, 2021a, 2012b). By 2022, seventeen states passed legislation that utilized wording from Executive Order 13950 regarding race and sex stereotyping or divisive concepts (Schwartz 2022). Even though President Joseph Biden revoked President Trump’s order in 2021, 36 states have proposed or passed legislation to restrict how to address race and racism in training, curricula, and instruction (Office of Federal Contract Compliance Programs, 2021; Stout & Wilburn, 2022).

Individual teachers and administrators face intimidation and pressure to cease perceived CRT activities, including incidents in which educators lose their jobs and face nonrenewal of contracts (Hylton et al., 2021; Natanson, 2021; Riley, 2022). Even curriculum has been targeted, and CRT-informed authors and publishers must choose whether to accommodate political rhetoric and legislation (Goldstein, 2022; Solochek & Tobin, 2022). The influence of this legislation spreads beyond these states regulating CRT through legislation because of the broader influence on educational curricula publishers (Goldstein, 2022). This social-political climate around racism produces anxiety and a chilling effect on race-related educational policies.

After releasing the President's Advisory 1776 Commission's (2021) report, anti-CRT legislation controlling discussions of race and racism in public schools became a priority in most states' legislatures (Ray & Gibbons, 2021; Schwartz, 2022). However, only 17 states have an effectual legal policy as of 2022 (Schwartz, 2022). Three states stand out due to their influence on policy, either in education, media, or politics: Iowa House File 802 (HF 802), Texas House Bill 3979 (HB 3979), and Florida House Bill 7 (HB 7). Texas drives educational policy and materials nationwide because its size and purchasing power influence providers of educational materials (Goldstein, 2020). Florida, too, impacts policy when the state removes math textbooks from the list of approved materials or forces the College Board to change African American history content due to concerns over *indoctrination* with social-emotional and learning content (Goldstein & Saul, 2022; Hartocollis & Fawcett, 2023; Solochek & Tobin, 2022). The governors of Texas and Florida frequently grab headlines in partisan and mainstream news over several topics, which sets a standard for other politicians. Iowa, as an early presidential primary state, indicates political trends. The Iowa election results make the state a battleground that switches from Democratic to Republican in presidential elections, representing more significant political

shifts (Lach, 2020). Election results from 2020 in Texas and Florida teased possible political shifts with an increase in Democratic voters and a decrease in Republican voters, respectively (Walter, 2020). Creating and authorizing anti-CRT laws and educational policies raise questions about whether CRT in schools is a policy problem or a move toward racial justice.

### **Statement of the Problem**

The call for recognizing racism in American society through protests and activism highlights the need for education policymakers to address racial disparities. However, efforts to address racism in educational institutions well before and after the murder of George Floyd faced resistance in what social historian Charles Tilly (2004) called the consequences of the boundary change. Boundary change “facilitates or inhibits mobilization in social movements or popular rebellions” (Tilly, 2004, p. 226). Therefore, the anti-CRT policies effectively resist changing social boundaries within education, which prevent a reckoning on racism caused by increasing attention to the failures of government policy and social reforms (Alfonseca, 2022). Further complicating issues around race equity in education is how the policy text is framed within a tense social-political climate.

Consequently, the current political climate impacts how parents, teachers, educational leaders, and other stakeholders understand and support policies that define and address educational issues. The problem I seek to address in this study is the lack of public understanding of educational anti-CRT policies resulting in unchecked policy enforcement and continuing practices of racism within K-12 education (Goldstein, 2022; B. Lopez, 2022; Lukianoff et al., 2021; Polikoff et al., 2022; Stanford, 2022). Therefore, I argue there is a need for a critical analysis of current state race-related policies passed during the anti-CRT movement to understand what and how race issues are framed and reinforce racial inequities.

## **Purpose and Research Questions**

The purpose of this study was to examine K-12 educational policies related to race and CRT in Texas, Florida, and Iowa. More specifically, the goal was to uncover how (un)hidden whiteness operates in these policies that maintain racism. Leonardo (2009) explains that whiteness is not only the privilege of systems, but the power to maintain privilege. The focus on uncovering whiteness is not an assault on White people. Instead, this study critiques the socially constructed and constantly reinforced power of white identifications and interests and the inferiorities of People of Color (Ladson-Billings & Tate 1995). Eve Ewing (2018) also noted the importance of overturning the false objectivity of white ideology. Therefore, I sought to move the purpose of this study beyond the focus on individual or interpersonal racial issues (i.e., White vs. People of Color) to a structural critique of racism. In this study, I capitalized *Black*, *People of Color*, and *White* when referring to individuals and people as a practice of humanization. I use a lowercase “w” in white regarding ideology and supremacist concepts. The following research question guided this study:

- (1) How are educational policies related to CRT in Texas, Florida, and Iowa framed in state documents?

## **Rationale and Significance**

There is an urgent need to understand the development of recent CRT and race-related policy because the effort to control education is spreading beyond K-12 education to College Board’s Advanced Placement program and higher education institutions (Hartocollis & Fawcett, 2023; Morgan, 2022b; Najarro, 2023; Texas House Bill 1607). The distortion of CRT as an indoctrinating influence speaks to a reassertion of white supremacy in educational policy by hiding and silencing race and racism (Morgan, 2022b). The rationale for this study was to



recognize how educational policy at the state level creates contradictory initiatives that do not serve public interests, especially regarding racial and social justice. This study explains what CRT-related educational school policies accomplish and whose interests they serve. This study is a timely addition to the existing literature about race-related policy and the persistence of white supremacy in education. This study will add to the literature on race-related policy, including how seemingly race-neutral policies, such as tracking, testing, discipline, etc., have lasting consequences on Students of Color. This study's findings will also add to the understanding and use of white supremacy culture (WSC) as an analytical frame in policy analysis. Lastly, this study adds to the literature on using critical policy analysis as a methodology.

### **Researcher Positionality**

This study emerged from my experiences as a White, cisgender woman historian and educator who wants to challenge injustice. I experience how state educational policy shapes the experiences of educational stakeholders. This position impacts how I come to this study in three ways. Firstly, as an educator, I recognize the controlling forces of state policy in how schooling operates. Secondly, as a historian, I recognize that power hierarchies shape social, political, and economic factors. Thirdly, as a White, cisgender woman, I am familiar with how whiteness operates and oppresses. I came to the research process wanting to confront social hierarchy but also apprehensive about my position within the cultural framework of whiteness. Was I the appropriate person to analyze these policies since I benefited from the privileges of whiteness? Also, my whiteness went unchallenged for much of my life, and I wondered how effectively I would analyze these bills.

Historically, White women are significant in maintaining racial and social hierarchies. As a White woman, I wrestle with my complicity in racist, homophobic, and ableist perceptions.

This study required me to challenge my naivete based on whiteness. I can move through the world as a teacher, and as an individual, with the assumption that my perspective is common. This makes me sometimes unaware of how my words and actions impact People of Color. Such thoughtlessness has led to my most regretted moments as a teacher and person. This truth guided me to check my position in this research and center on deconstructing social and political hierarchies by auditing my perspectives through the analytical process.

The reaction to CRT as an influence in education further complicates my role as an educator. When I first entered the classroom, the stories I shared too often centered on whiteness. Over the last decade, I began to examine systemic forces beyond my position within whiteness. I embarked on a social studies practitioner's journey into stories not centered on White narratives. My reckoning drives me to see CRT not as a threat but as a framework to understand my place in a racist educational system and work against it.

The importance of studying this topic comes from my historical understanding that policy origins can fade over time and become accepted as the status quo. I was taught that the Civil Rights Movement fixed racism, the feminist movement fixed sexism, and the market fixed inequality, yet the recent social protests confirm that nothing is fixed. Too often, the assumption is that "social relations exist within cultural forms of the uninterrupted accord, . . . [resulting in] a form of social amnesia in which we forget that all knowledge is forged in histories that are played out in the field of social antagonism" (Steinberg et al., 2006, p. 151). Analyzing these policies and their context confronts political attempts to dismiss the historical truth of racism and provides me with a way to challenge white supremacy. Below are the assumptions I bring to this study that have influenced my research approach:

1. Racism is real and systemic. Unfortunately, society and education do not operate in a racially equitable manner.
2. Race and racism manifest in K-12 educational institutions to preserve whiteness. White people cannot experience systemic racism.
3. The ontology between politics and institutions represents a powerful educational force. These components of education inform and feed one another in ways that impact what happens in the classroom for students.
4. Current policies are an extension of historical and racist political processes. Recent developments are not isolated or new.
5. Political polarization disguises racism in the United States and K-12 education as a political party issue when it is a human issue requiring radical action in every political and social institution.

### **Definitions of Key Terms**

Since education policy related to race and racism includes terms with contested meanings, it is essential to clarify how this study used them.

#### **Antiracism**

*Antiracism* provides a positive term for disrupting racism and racist systems through ideology and action. Ibram X. Kendi (2019) identified more than ten variations of antiracism that center on equity and human value, particularly in policy and individual behavior. Bonilla-Silva (2003) explained that “being an antiracist begins with understanding the institutional nature of racial matters and accepting that all actors in a racialized society are affected *materially* [receive benefits or disadvantages] and *ideologically* by the racial structure” (p. 15). Active decision-making and choices are requirements of antiracism since the concept is not just about awareness

but interrupting racism and ignorance (Kincheloe & Steinberg, 1998; Tatum, 2017). Antiracism is a “shared struggle” (B. L. Love, 2019, p. 54) for justice that values the victims’ perspectives of racism.

### **Black**

*Black* is a complex term that refers to multiple layers of being part of American society (Mills, 1997). Physiologically, the term refers to dark skin tones, but that is a reductionist understanding (B. L. Love, 2019; Tatum, 2017). Black also refers to “cultural patterns and traditions” (Tyson, 2011, p. 35) or to African American ancestry (Tatum, 2017). What makes the term meaningful is the difference and significance applied by society in a way that designates power (or lack of) and pride (or shame); (Fanon, 1952/2008; Leonardo, 2009; Mills, 1997). Unlike ethnicity, Black is not negotiable because it is always compared to White as a form of racial identity (Leonardo, 2009; Tatum, 2017).

### **Critical Race Theory**

As a framework, CRT positions white supremacy as a part of social and political interaction. Derrick Bell (1979) and Kimberle Crenshaw (1995) established the use of CRT as an analytical tool. Since the 1990s, CRT has been a theoretical framework in educational research to uncover how racism persists in education policy and school practices (Dixson & Rousseau Anderson, 2017; Ledesma & Calderon, 2015). CRT is not a curriculum.

### **Education Policy Analysis**

Extending the narrow and positivist analysis defined by Harold D. Lasswell (1970) explores the more complex interactions of power with policy (Diem et al., 2014). Also, state government entities “shape and reshape problem framing and policymaking” (Diem et al., 2019, p. 9), shifting the multiple streams of policymaking (Weible & Cairney, 2018). This study

analyzed educational policies as a legal, distributive pathway toward knowledge and human development that impacts school institutions at the local and state level (Rinfret et al., 2019).

### **People of Color**

Beverly Tatum (2017) explained the term *People of Color* as “those groups in America that are and have been historically targeted by racism” (p. 94). This includes racial categories such as Black Americans (both African and Caribbean heritage), Latino/a/x Americans (multiple countries of origin), Asian Americans (multiple countries of origin), and Indigenous Americans or Native Americans (various tribal identities) but can include anyone categorized outside of the dominant Euro-centric group. In this study, the term *People of Color* provided a concise way to identify whether policy consequences touched more than one racial category.

### **Race**

*Race* denotes a social category created by people that impacts how individuals move through the world (Bonilla-Silva, 2003; Tatum, 2017). Significantly, race shapes how individuals negotiate identity and power (Garrett & Segall, 2013; Leonardo & Grubb, 2019). In this study, race denoted social categories and identifications for groups of people (Bonilla-Silva, 2003). This study recognizes the weaponization of race to preserve power rather than categorically divide.

### **Race-Related Policy**

*Race-related policy* is a broad term reflecting a course of action by government entities that address barriers to racial inequality (Orey et al., 2012; Rinfret et al., 2019). The social construct of race as a physical or sociopolitical identifier separates people into groups as recipients of policy (Anonymous, 2017). Such efforts vary across political agendas, although the focus here was on education policy. Also, a race-related policy explicitly uses race within its text

and context (e.g., affirmative action) or as a measurement of policy success or failure (e.g., achievement).

### **Racism**

The term *racism* refers to a “system involving cultural messages and institutional policies and practices as well as the beliefs and actions of individuals” (Tatum, 2017, p. 87). Racism uses power to entrench privileges for one racial category over another in what Bonilla-Silva (2003) called “racial structure” (p. 9). In this study, racism included the justifications for policy and action in a way that preferences one sociocultural understanding over another (J. E. King, 1991).

### **Schools**

*Schools* are publicly funded educational institutions that impart sociocultural and academic knowledge to K-12 students and have been at the forefront of race relations in the United States (Tatum, 2017). These institutions are the points of contact for local districts and schools with constituent stakeholders, as opposed to bureaucratic structures like state agencies or boards (Rinfret et al., 2019). In this study, *schools* referred to the relational feature of education between students and curriculum, including teachers' instruction.

### **Whiteness/White Culture**

*Whiteness* represents one side of what Charles W. Mills (1997) called the *racial contract*, an understanding of the social contract where White people dominate the systems in which society and government operate. Leonardo (2009) called this a “white racial hegemony to saturate everyday life [and is a] process of domination, or those acts, decisions, and policies that White subjects perpetrate on people of color” (p. 75). Leonardo (2009) also explained that White physical traits are criteria for whiteness but can include the social construction of whiteness

based on culture and language. As such, whiteness is an ideology that governs norms, discourse, and values (Leonardo, 2009). This study refers to whiteness, white knowledge systems, and white culture to denote education's tendency to deny equity and bully those who do not possess whiteness (de Saxe, 2021). Consequently, terms like whiteness or white supremacy are not capitalized because these are ideological positions that do not deserve textual differentiation while they must be addressed.

### **Theoretical Framework**

To understand how policy perpetuates racism, Tema Okun's (2021) white supremacy culture is the theoretical framework in this study. Okun analyzed how white supremacy infiltrates organizations and institutions to create a culture centered on whiteness (Grim, 2023). To understand WSC, white supremacy must be identified as "the ways in which the ruling class elite or the power elite in the colonies of what was to become the United States used the pseudo-scientific concept of race to create whiteness and a hierarchy of racialized value" (Okun, 2021, p. 2). WSC includes not only historical manifestations of supremacy, like slavery and segregation, but also 21st-century manifestations evident in educational policies. To make WSC more effective, white supremacy works with other dominant identities, i.e., gender and social class, in collaboration for oppression (Okun, 2021). In this way, white supremacy is not just connected to power and White individuals; white supremacy offers a "toxic belonging" (Okun, 2021, p. 3). Okun (2021) explained that white supremacy operates to "colonize" mental and physical spaces by defining who and what has value (p. 3). From the construct of race, white supremacy develops a culture intended to preserve racism.

The definition of WSC is "the widespread ideology baked into the beliefs, values, norms, and standards . . . teaching us both overtly and covertly that whiteness holds value, whiteness is

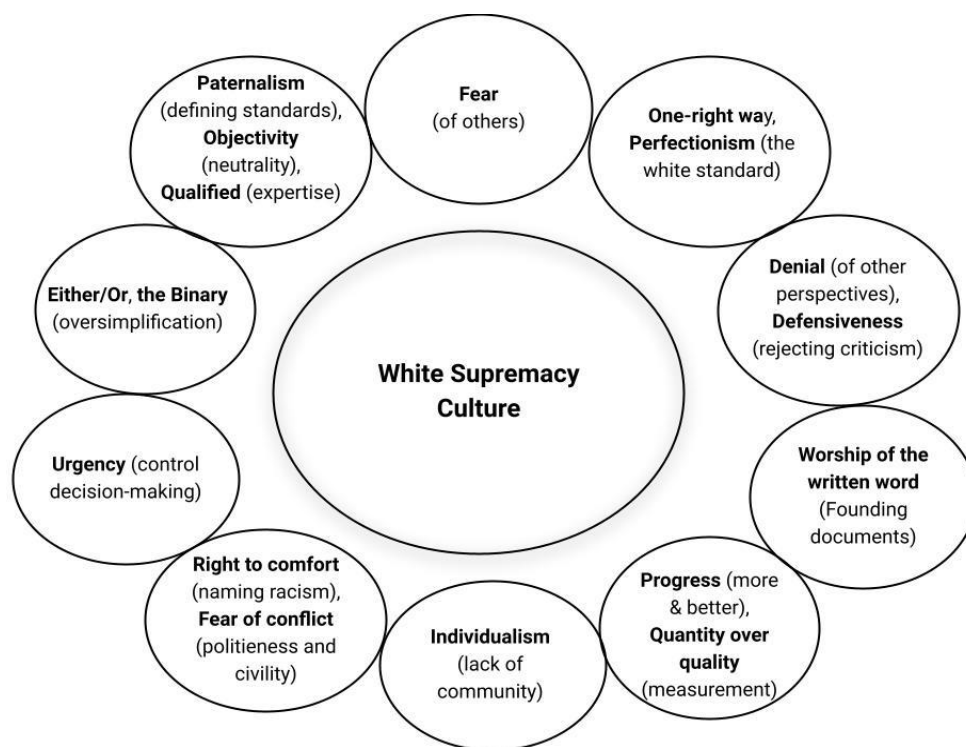
value” (Okun, 2021, p. 4). This ideology also relies on classism to set norms, mainly middle or upper-class values. Bonilla-Silva (2003) explained racial ideology as “rooted in the group-based conditions and experiences of the races and are, at the symbolic level, the representations developed by these groups to explain how the world is or ought to be” (p. 10). The consequence of WSC is that the experiences and cultures of People of color and non-European ethnicities matter less, if at all (Bonilla-Silva, 2003; Okun, 2021).

The foundation of white supremacy rests on politics, society, economy, and knowledge that reinforce a White “common sense” (Bonilla-Silva, 2003, p. 10). Also, racism stems from the social and legal assumptions that whiteness is a “treasured property in a society’s structure on racial caste” (Harris, 1993, p. 1713). Education depends on adherence to a curriculum that is “a culturally specific artifact designed to maintain a White supremacist master script” (Ladson-Billings, 1999, p. 21). This standard results in a cultural hegemony by a dominant group (those with power) that works to preserve their worldview (Bonilla-Silva, 2003; Marston, 2021; Leonardo, 2005; Spanierman & Smith).

White supremacy persists despite the challenge of movements like Reconstruction, Civil Rights, and Black Lives Matter. Okun (2021) described this as “swimming in the waters of white supremacy culture” (p. 4) that all people must navigate. Okun (2021) identified four ways WSC impacts society: a) WSC encourages cooperation and collusion to survive, b) WSC targets People of Color and benefits White communities, c) WSC numbs White individuals to racism, and d) WSC promises People of Color safety in assimilation. The result of WSC’s impact is a disregard for collective responsibility in systemic racism. The impacts of WSC are rooted in fear and are detrimental to everyone. Okun (Grim, 2023) adamantly asserted that WSC is a tool to understand how white supremacy manifests in organizations and institutions. As a tool, WSC



offers a way to understand CRT-related education policy to understand the explicit and implicit agenda. In this study, I use WSC as a framework to guide the data analysis process to identify how white supremacy frames the text of the legislation. Using WSC in the data analysis allowed me to identify the (un)hidden ways white supremacy and ideology were used to frame the state



policies.

**Figure 1** *WSC characteristics and definitions*

### Dissertation Outline

In this chapter, I presented an overview of the study. Chapter two includes a literature review of research on race and racism in education, progressing from a general background to a policy overview of specific policy issues in education. In chapter three, I describe the critical policy analysis (CPA) methodology, data collection, and data analysis approaches. Then in chapter four, I present the three findings of the study. To conclude, chapter five discusses the findings and recommendations for future education policy practice and research.

## **CHAPTER 2**

### **LITERATURE REVIEW**

The educational system does not exist in a vacuum; instead, it is a product of myriad forces that shape society (D. Love, 2020). These forces coalesce around policy and policy actors at multiple levels of government—federal, state, and local (Rinfret et al., 2019). Yet, these policies frequently maintain social oppressions and hierarchies. Historical efforts to enact public education reveal a deep relationship between policy, race, and racism that permeate 21<sup>st</sup>-century education policy. The development of CRT-related policy since 2020 is a reaction to calls for racial and social justice that maintains whiteness within curricula and instruction. In this literature review, I seek to understand how scholars have related race and racism to education policy in the United States.

#### **Method**

The keywords initially used for this literature review were “race-related K-12 education policy,” which yielded zero relevant results in the ProQuest Education and EBSCO databases. I then used the JSTOR Complete database, which led to 1,273 results, and the Wiley Online Library, which led to 4,308 results over the past ten years on various educational topics. Many of these articles focused on narrow disciplines within education, such as mathematics, physical education, kindergarten, etc., or focused on international policy. My search focused on topics that covered general race-related K-12 policymaking for all People of Color at the local, state, or national levels. Specific curricula, such as science or math, or specific grade levels, such as kindergarten, were excluded because they centered on pedagogy or assessment rather than policy. Next, I searched the same databases for “K-12 education policy in the United States +

race + racism” and received fewer results: EBSCO 0, ProQuest 124, Wiley 1,216, JSTOR 353. From this, I selected 63 journal articles, six reports, and one policy brief that examined different perspectives.

In the following sections, I provide an overview of race and racism in U.S. education and schooling that illustrates the persistence of education policy dilemmas regarding race. Then I provide an analysis of race-related education policy, including how curricula and instruction become targets for policy intervention. Next, I highlight critical racial issues scholars recognize in education policy, such as neoliberalism, whiteness, and racism. I present an analysis of modern manifestations of racism in policy that confirm the challenges to racial justice in education. Lastly, I examined policy actors on education from the federal, state, and local levels.

### **Background: Race and Racism in United States Schooling**

The background of race and racism in U.S. schooling perpetuates inequity despite attempts to desegregate and provide opportunities for all students regardless of race, gender, or social class. To explain the operating system of education, I consider the influence of whiteness and emerging questions about the success and benefits of desegregation. Next, this background highlights why current policy co-opts the language of equity and demeans questions and critiques of the status quo. This understanding will frame the analysis of race and racism in educational policy and how an opportunity for a dynamic school system is hindered.

American education has always been shaped by race and racism within broader society. According to Edmonds (2020), the default definition of *quality* education was, and is, grounded in a seemingly race-neutral meritocracy. However, scholars have noted that education often relies upon anti-Black (and anti-Brown) concepts, such as intellectual, cultural, and economic deficits helped to define whiteness as the apotheosis (Chennault, 1998; Edmonds, 2020). This

cultural dominance operates in the background: “The ideology of whiteness becomes actualized and normalized to the point of invisibility by way of language, media culture, and schooling” (Patterson, 1998, p. 104). The consequence is dysconscious racism: willfully ignoring the causes of racism and maintaining the status quo (B. Anderson et al., 2019; J. E. King, 1991). Therefore, despite the integration process over the last 60 years, research has shown that the United States struggles to eliminate the racial institutional frameworks that shaped society and education in favor of social justice (Greene, 2021; D. Love, 2020; Squire et al., 2018). Scholars have noted the significance of inequality between Black and White students in schooling through funding, teacher quality, discipline rates, and access to advanced courses (Ladson-Billings, 2021; Shores et al., 2019). Ladson-Billings (2021) and Shores et al. (2019) placed the responsibility for these impediments to equity at the feet of policymakers and decision-makers.

Adding to this academic milieu are new interpretations of desegregation that seek to understand why the *Brown v. Board of Education* (1954) decision did not resolve educational inequity (Driver, 2018; Stern, 2020; Tatum, 2017; Zirkel & Cantor, 2004). Such systems analysis argues that education policy never addressed the fundamental assumptions about race and racism that favor some students over others (D. M. Scott, 1997; Stern, 2020; Zirkel & Cantor, 2004). Notably, “once a White cultural logic of racial avoidance took form, policymaking needed only to provide a policy mechanism for its expression to reify a social reality” (Johnson, 2017, p. 179). The educational policy developments since 1954 have failed to repair the social and economic damage caused by racism.

The current state of education operates under the premise that race is no longer a relevant factor to opportunity and equity (B. Anderson et al., 2019; Fahle et al., 2020; Johnson, 2017; Stern, 2020). Recently, systemic inequity has been complicated by racialized political rhetoric

and changes to educational policy (Darder, 2019; Giroux, 2019). These developments reinforce the belief that individuals are responsible for their uplift, regardless of race and racism. They also demean educational curricula critically questioning social, ethical, and moral dilemmas (Darder, 2019). Challenges to the status quo produce resistance in the form of White, patriarchal discourse where “weakening commitment to the public good and ignoring the strengths of our differences” (Darder, 2019, p. 71) becomes the status quo to be maintained (Giroux, 2019). To accomplish this, policy co-opts the language of equality—terms such as *discrimination* and *bias*—to evade race and anti-Black racism (Bonilla-Silva, 2003). Rita Kohli et al. (2017) labeled such educational policies as *new* racism designed to function silently in the background. In this way, schooling functions on norms that resist organizational change for justice and equity, exacerbated by recent CRT-related educational policy (Welton et al., 2018).

A CRT-related educational policy represents what Deborah Stone (2012) calls a policy paradox. In her book *Policy Paradox: The Art of Political Decision-making*, Stone describes how policy can create rules that superficially seem positive and fair but, in reality, do not center the interests of a larger, multiracial, political community. A policy paradox challenges the assumption that public policy can operate rationally and apolitically. Politics influence policymaking by determining how problems are defined, how solutions are analyzed, and how policy is developed. Stone’s (2012) model of political reasoning recognizes that people make policy and are emotional and intuitive. This reasoning contradicts the economic market policy model because policymaking is for and by a social community (Stone, 2012). Yet, power is a political tool to “subordinate individual self-interest to other interests” within that social community (Stone, 2012, p. 34). The community of people represented by politics holds differing views, and policy represents a way of incorporating (or not) those different viewpoints.

The different viewpoints make policymaking a “constant struggle” over criteria, boundaries, and ideals evident in policy (Stone, 2012, p. 13). The paradox exists in the different perspectives about goals, problems, and solutions. CRT- and race-related educational policy represents a tension over policy goals about equity and liberty. These values are in tension because individual liberty may not recognize systemic inequities. Equity and liberty policy goals present symbolic problems for different causes and interests. The call for racial justice in education challenges the interests of whiteness and symbolizes a threat to the security of white supremacy in society. As a result, CRT- and race-related educational policies crafted solutions based on rules and power to protect the interests of one group over another. While race and racism symbolize this struggle, the social hierarchy uses policy to maintain power and privilege (Leonardo, 2009).

U.S. schooling includes race and racism as foundational elements, evidenced by the policy dilemmas of the 20th and 21st centuries. While reforms to improve educational opportunities did and do occur, such efforts do not consider race and racism as persistent features of American society (Kohli et al., 2017). Current attempts to control education through policy are incongruent with the goals of educational opportunity and align with the foundational inequity of education (Darder, 2016). Even if the language used in these attempts denounces race and racism, they continue a long history of education policy that prefers agendas that benefit White students and families.

### **Race-Related Education Policy**

Education policy reflects the U.S. values and ideologies of capitalism, democracy, and unity. To explain this reality, I consider how race-related education policy has shifted toward

accountability measures to promote opportunity and civility while avoiding difficult conversations about the goals of select policies.

Modern educational policies began after the Civil War when industrialization and urbanization emerged as a national agenda that influenced the funding and development of educational systems (Urban et al., 2019). The development of the standard school system relied upon assimilation into the value systems of White Protestant males (Tyack, 2003). At this inception, education for Black persons relied on independent, community-based institutions that were not the product of education policy per se (J. D. Anderson, 1988). Grassroots interests created parochial, private, and community education centers for purposes that evaded early educational policy interests (J. D. Anderson, 1988; Tyack, 2003). As the 20th century progressed, education policy became central to promoting unity and global influence, including a growing interest in equality of opportunity (Hartman, 2008; Tyack, 2003). However, education policy also turned to efficiency and accountability to achieve these goals (Mehta, 2013).

The last 70 years of education policy have resulted in a “top-down” approach, where institutional and government powers dictate how education should look through institutions, curricula, and values (Mehta, 2013). The policymakers behind this approach were themselves influenced by dysconscious racism. Mehta (2013) stated,

Scientific management also seems to promise that the answer can be found without confronting difficult questions of distributive justice; we persist in the illusion that science combined with policy can fix our problems without requiring any difficult choices or trade-offs. (p. 5)

These policy directions shape educational research as researchers respond to the policy agenda. As a result of policies that turned from undoing segregation to making schools “separate but

more equal” (Wells & Roda, 2016, p. 85) through standards and accountability, research moved away from the more significant social and systemic problems of race and racism. This trend shifted in the early 21st century as questions about equity emerged due to the semicentennial of the *Brown v. Board of Education* (1954) decision and growing diversity in academia.

Recently, K-12 education policy added concerns about civic understanding as a priority to address racism with recent legislation. However, research needs to closely examine the language of education policies to understand how they perpetuate racism and how they are politically motivated (Coburn, 2016). Using policy to communicate political, rather than public, agendas fails to resolve any issues. In a seminal policy document analysis of New Zealand’s 1987 *The Curriculum Review*, Codd (1988) observed that when policy ignores the “social context in which there are major structural inequalities, . . . [the] policy text embodies incoherences, distortions, structured omissions, and negations which in turn expose the inability of the language of ideology to produce coherent meaning” (p. 245). To understand the larger social context of K-12 education policy, examining scholarship on race and racism-related issues provides insight into the meaning of policy language in CRT-related legislation.

### **Race-Related Policy Issues in K-12 Education**

Public policy lacks a “precise and universal” (Smith & Larimer, 2017, p. 3) definition that requires an understanding of how power shapes agendas and outcomes (Stone, 2012). In this section, I explain how policy agendas impact education. I demonstrate that these agendas are not neutral or benign for education stakeholders, despite attempts to frame them as market-influenced agendas (Lipman, 2013; J. Scott & Quinn, 2014). Next, I connect the current political environment, further complicating policy agendas through a partisan approach to problem identification and problem-solving (Braun, 2019; Taylor et al., 2020). Subsections analyze how



that policy agenda prioritizes frameworks such as neoliberalism, whiteness, and racism that make schools inequitable.

Scholars previously explained that policy was power sharing between the public and governing institutions (Lasswell, 1951). Modern political scientists have critiqued that assumption as contradictory and incomplete because other influences have the power to shape policy (Smith & Larimer, 2017; Stone, 2012). Policy agendas develop from various impulses, some to solve real public challenges, while others from resistance to change or political rhetoric (Stone, 2012). Furthermore, the influence of public social structures in the form of existing education policies and organizations constrain educational institutions from implementing reform agendas (Coburn, 2016). Education policy emerges from the interaction of policy influences on social structures, like state boards, to meet the demands of the dominant groups. Policy language and rhetoric utilize popular values and ideologies to make policy acceptable to all other groups.

Deborah Stone (2012) explained that groups and communities define priorities and problems differently, sometimes creating a tension between them. This creates a policy paradox, where the problem identification and policy decisions do not follow a rational model. Moses et al. (2012) illustrated this resistance in their research on ballot and race-conscious initiatives on affirmative action and bilingual education. These authors explored how controversial and complicated issues involving equity were avoided by political actors and placed in the hands of under-informed (or misinformed) voters. This research's significance is that social equity challenges require a broader understanding and unified vision by all civic stakeholders that too often does not functionally exist. Consequently, educational policy often “trample[s] the interests of students of color, which is severely detrimental for the public good” (Moses et al., 2012, p.

133). The implication is that too much reliance on public opinion and trends at the expense of academic and scientific expertise limits the extent to which educational policy promotes equity. Further impacting equity in educational policy are democratic issues, the influence of economic theories, and an increasingly polarized society.

Idealistically, democracy incorporates participation and inclusion in its processes. As noted above in the Moses et al. (2012) study, the process might initially be participatory, but policy outcomes become “cauterized projects” (Patel, 2016, p. 114). According to Patel (2016), in a western-oriented society shaped by race and racism, democracy lacks critical discourse to alter oppressive structures. Consequently, state institutions, including schools, become racialized spaces relying on individual efforts to address equity. Patel (2016) rested this educational policy analysis on CRT, particularly “whiteness as property” (p. 118), which shaped the system of American institutions, leaving fewer options for the “adjusting of the available politics and platforms under the state” (p. 118). This individualism and anemic state response promote a colonial mindset in education that acts upon those without political power (e.g., People of Color and immigrants) in favor of those defined by whiteness and individualism. Transformation in educational policy requires broader attention to other policy areas, the acceptance of intersectional issues, and the flexibility to address multiple areas of concern.

Another issue in making educational policy is the influence of economics on social policy by prioritizing market forces, self-interest, and economic growth (Jabbar & Menashy, 2021). According to Jabbar and Menashy (2021), economic imperialism fostered educational policies such as “merit pay, school choice, and standardized assessment” (p. 1). Economic imperialism focuses on efficiency and rationality while ignoring the social and political limitations that produce inequality. Specifically, economic self-interest dominates by elevating values like

individualism over the broader public good. Analytically, economic imperialism reinforces itself by using metrics to quantify human performance. Human capital frameworks put students, teachers, and schools into markets and competition in education, “displacing such aims as equity, community, social cohesion, democracy, and social justice” (Jabbar & Menashy, 2021, p. 6). Economic analysis must be interrogated lest it reproduces inequality. Like Patel’s (2016) perspective on democracy, economic imperialism ignores nuanced explanations that explore other factors in policymaking.

Adding to the issues of hegemonic democracy and economic imperialism is what Kathrin Braun (2019) called “post-truth” (p. 432). Braun (2019) explained post-truth

as an ordering device, a concept that serves as a means to create order in a complicated world and make sense of what is going on. It is contingent and value-laden and sheds light on some aspects of reality while obscuring others. (p. 432)

Post-truth influences all levels of society: media, accepted knowledge, interactions, and policy. Regarding policy, including educational policy, post-truth attacks critical thinking and intellectualism (Braun, 2019). Such attitudes impair policymaking by misrepresenting goals and benefits while controlling language to obfuscate the process. The influence on policy skews the agenda by oversimplifying issues in a binary of good or bad and demeaning the diverse perspectives of people impacted by a policy. Taylor et al. (2020) explained that viewing facts through political party identification, where education policy gets shaped by national conversations about post-truth priorities rather than local interests, weakens support for education more broadly. Additionally, education policy struggles to rectify inequity because, as Jabbar and Menashy (2021) pointed out, many factors influence education; the simple explanations of post-truth do not address the needs of a diverse school system. Post-truth

obscures the harms of CRT-related educational policy because it misinforms society and restricts the ability of teachers and curricula to address race-related issues.

The articles mentioned above about race-related policy issues present general interpretations of educational policy functionally addressing race and racism. However, those broad understandings do not fully explain how race and racism persist despite attempts to promote equality since the mid-20th century. Further analysis of general educational policy research examines neoliberalism, whiteness, and racism.

### **Neoliberalism**

Neoliberalism is rooted in economics but highlights the relationship between government, policy, and the public (Chitpin & Portelli, 2019). Diem and Welton (2021) explained what happens to the public and policy relationship due to neoliberalism:

Yet, the word *public*, when attached to the *policy*, assumes that the process of identifying problems and then strategizing how to use policy to address these problems is democratic, deliberative, and truly *public*. . . . Instead, *public* policy is a constant battle amongst *private* interests where those who have the power and privilege to do so ensure their interests prevail, mainly when the policy is designed with equitable intentions to right racial wrongs. (p. 9)

Some policymakers and influencers like to use education policy to promote neoliberal, pro-market, competitive ideas as the answer to finding equity rather than acknowledging privilege and the need for justice (Diem & Welton, 2021). Even among critics of neoliberal education policy, there is a difference between those who espouse equality of opportunity and outcome versus those who espouse equity and justice (Chitpin & Portelli, 2019). Regardless, neoliberal reforms embrace privatization and commodification of education with individualism as a core

ideology (Giroux, 2019; Harvey, 2007). Neoliberalism in education is almost 100 years in the making, so its concepts are deeply ingrained in policy thinking, even though its failures (e.g., achievement gaps, resegregation, inequality) are known (Chitpin & Portelli, 2019; Watkins, 2017). Educational neoliberalism creates surveillance policies for teachers and students based on performance (Darder, 2019). In White et al. (2020), a qualitative study of educational researchers concluded that market-based performance and outcome foci strengthen state control through policy and weaken community influence (see also Darder, 2019). Policy reforms meant to produce racial equity, whether diverse teacher personnel or culturally relevant pedagogy, often do not fit with neoliberalism (Ladson-Billings, 2021; White et al., 2020). This can make educational policy incongruent with stated goals and even complicit with systemic racism (White et al., 2020). Darder (2019) pointed out that educational success must be balanced with the efficiency of quantification and expediency that strips away our humanity from teaching and learning. As such, we cannot ignore that the logic of the marketplace has effectively normalized racialized and class-based stratifications.

### **Whiteness**

At a basic level, the prevalence of White teachers and administrators in increasingly diverse and multicultural schools represents whiteness, reflecting the political and institutional power held by White people (Horsford, 2019; Knaus, 2019). According to Cheryl Harris (1993), the legal and political power, and the incumbent material benefits, define whiteness as property. Furthermore, whiteness became “normed” as the status quo, particularly in educational practices and policies benefiting White people and oppressing People of color (Harris, 1993; Mills, 1997). Harris (1993) explained that the 1954 *Brown v. Board* decision rejected segregation caused by whiteness but “it failed to expose the problem of substantive inequality in materials terms

produced by white [sic] domination and race segregation” (p. 1752). Such a move shifted de jure segregation to de facto inequality based on “a deficit framework of Black inferiority” (Aggarwal, 2016, p. 132). Ignoring this critique based on CRT harms students by perpetuating the status quo.

Aggarwal (2016) argued that the critical problem of the *Brown v. Board of Education* (1954) decision was psychic harm to Black students, which positioned whiteness (and White students) as the standard for a good education (D. M. Scott, 1997). Policy reports such as the 1965 Moynihan Report and the 1966 Coleman Report continued the elevation of whiteness by expressing cultural racism about the causes of racial inequality (Aggarwal, 2016; Wood & Graham, 2017). The answer to inequality was framed in those reports as integration with whiteness values: “Constructed as a social problem, racial isolation thus came to be quantified against an undisturbed baseline or norm, allowing for the continued production of whiteness through the continued accumulation of wealth and resources” (Aggarwal, 2016, p. 137). Wood and Graham (2017) confirmed the persistence of cultural racism through their quantitative analysis of the 2012 National Opinion Research Center’s General Social Survey. In this way, the material advantages of whiteness set a standard difficult for those without whiteness to attain.

Consequently, integration became a goal, which justified a racialized focus on achievement gaps for Students of color (Aggarwal, 2016). *Best practices*, defined by whiteness, promote the colonization of curricula and standards that maintain white interests (Knaus, 2019). Those white interests of legal, political, and material benefits masquerading as individual effort—whiteness as property—are the product of centuries of racism, colonization, and exploitation (Underhill et al., 2019). That protection of white normativity and preference exists throughout educational institutions despite historic efforts to reduce or eliminate it. The linchpin of whiteness is a meritocracy, a supposedly race-neutral way to recognize ability and

achievement (Bonilla-Silva, 2003; Mijs, 2016). Such research on whiteness and meritocracy is relevant to this study because CRT-related policy uses the terminology of meritocracy and hard work within its text. Educational policymakers at all levels prefer the frame of merit because “it legitimates difference, stimulates effort, and in doing so, optimizes the allocation of reward” (Mijs, 2016, p. 17). However, when viewed in the context of whiteness as property through integration over resources, meritocracy becomes race-based (Mijs, 2016; Underhill et al., 2019). In schools, tracking and ability grouping do not account for dynamics of privilege and racism, thereby maintaining unequal education. Meritocracy assumes a level starting point, an elusive origin in a capitalistic society where social class intersects with race due to complex social realities (Aggarwal, 2016; Mijs, 2016). Consequently, merit recognition often coincides with social class (Mijs, 2016). Mijs (2016) pointed out that “a preoccupation with meritocracy in educational policymaking risks crowding out equality and need” (p. 24) and makes education a tool for market forces. In this way, meritocracy becomes a tool to preserve whiteness as property, building upon the socioeconomic foundations of white supremacy.

The meritocratic framing of education affirms what Diem and Hawkman (2019) called “white sensemaking” (p. 98). White sensemaking ignores racism, resulting in dysconscious racism and elevating white identity as a standard (Diem & Hawkman, 2019; J. E. King, 1991). Consequently, some White teachers and administrators are not comfortable with dialogue about race: “As a result, when faced with racial decision making, or with a situation in which their . . . white common sense is challenged, White individuals can embody a state of white fragility” (Diem & Hawkman, 2019, p. 100; see also DiAngelo, 2018). Decades earlier, J. E. King (1991) found that same attitude in student teachers’ responses to “How did our society get to be [racially unequal]?” (p. 136). Whiteness dominates educational policy through individualism, e.g.,

meritocracy, and market-based approaches that promote competition and deregulation (Diem & Hawkman, 2019). Rather than address the impacts of racism in education, school choice policies become the answer to inequality.

School choices, whether open enrollment, charter schools, or vouchers, make education a consumer product that reinforces neoliberalism (Diem & Hawkman, 2019). According to Underhill et al. (2019), educational consumerism encourages white opportunity hoarding due to the existing social and racial inequalities that limit choices for People of color. Furthermore, school choice policies allow “White people to maintain segregation and avoid desegregation together; White people never choose to attend all-Black schools” (Diem & Hawkman, 2019, p. 101). Freidus and Ewing (2022) noted that race influences where families send their children because of the racialized perceptions about quality schooling. Additionally, school choice conceals the closure of schools in urban, predominantly Black communities. School choice policies provide an example of how whiteness influences educational policy, but it is not the only one. Educational policy and leadership generally heed whiteness’s demands in teacher preparation, educational initiatives, and curricula. While the conversation about racism and whiteness includes many areas of society, educational policy produces a “reconstitution of the racial state despite the extension of universal civil rights” (Aggarwal, 2016, p. 128).

## **Racism**

Many educational policies reflect racism in society; one needs only to look at the disparities between White and Black education (Shores et al., 2020). Before the 1960s, educational policy regarding funding, school assignment, curricula, and instruction included segregation and eugenics, reinforcing white supremacy (Urban et al., 2019). The Civil Rights Movement, beginning with the *Brown v. Board of Education* (1954) decision and continuing into



the 1970s, prompted policy shifts in multiple areas: access to public facilities, employment, voting, education, and immigration (Leonardo, 2019). Afterward, racism in education shifted from a pseudoscience basis to a cultural basis set on what Leonardo (2019) called “essentialisms” (p. 9). Leonardo (2019) wrote the following example and consequences:

Particularly in education, the essentialisms of culture are present when we assume that Asians are smart by possessing the ‘math gene’ and Blacks do not value education over immediate gratification. The former is represented as having superhuman (almost nonhuman) discipline, whereas the latter requires over disciplining in schools. These forms of cultural essentialism are proto-genetic in justification insofar as they almost assume immutable traits of the races in question. As the adage goes, the more things change, the more they seem to stay the same. Culture is the new biology. (p. 9)

These “essentialisms” form cultural stereotypes that justify educational disparities and the policies meant to ameliorate them. Such cultural stereotypes create biases in individuals and systems.

Similarly, Quinn (2020) found that participants expressed bias against Black students, viewing them as less competent than White students. Such racial biases perpetuate educational inequities. Meanwhile, Valant and Newark (2016) noted that public opinion expressed more support for addressing economic-based performance rather than racial performance gaps. Public perceptions and priorities influence policymakers, regardless of the nuanced differences between wealth and racial inequality. The differing race-based outcomes in education reinforce cultural racism without naming racism. The complex ways racism persists in society do not originate in education but shape the creation and implementation of education policy (Valant, 2020).

Furthermore, recent events like school shootings and COVID-19 learning losses focus

educational policy on school safety, standards, and curricula rather than race and racism.

Leonardo's (2019) cultural racism, the bias that People of color have a different set of cultural values, persists in the "moments of educational inequity [that] happen quietly, day after day, in places like classrooms and school board meeting rooms, often at the hands of people who mean no harm" (Valant, 2020, para. 9). School funding, student discipline, accountability testing, and academic tracking manifest that "banality" of racism (Valant, 2020, para. 10; Valant & Newark, 2016). Decisions about education, like CRT- and race-related policies, do not have to recall the violent resistance to a significant shift like the *Brown v. Board of Education* (1954) decision to be hurtful, intimidating, and harmful.

This section established that K-12 education policy still centers on race even when the stated goal is race-neutral. Scholars have demonstrated that broad concepts like neoliberalism, whiteness, and racism persist in educational policy, resulting in a system stacked against Students of color. The research gap is in understanding how these concepts continue in educational policy. Racism is particularly insidious in policy and presents itself in through the policy influences on education.

### **Policy Influence on Education**

Neoliberalism, whiteness, and racism constitute multiple streams of influence within federal, state, and local educational policy (Smith & Larimer, 2017). The very nature of federalism, a defining feature of American education, means that there are distinct parts of government that exercise varying degrees of power on education policy and its implementation. This study focuses on understanding state policy rather than federal policy because state sites can enact restrictions on what is taught in the classrooms. Furthermore, states and local districts more directly impact expressions of race and racism (e.g., school choice, state takeovers, culturally

responsive pedagogy, standards, etc.). Recent research on specific policy levels has illustrated this assertion, which is examined from the top down: federal, state, and local.

### ***Federal Policy***

The U.S. federal government holds an influential yet limited power over education because of a lack of constitutional authority over states' educational policies (McGuinn, 2015). Courts can impact policy significantly regarding overturning segregation and funding inequality, yet they lack the implementation power for necessary changes. Congressional policy first occurred in 1958 with the National Defense of Education Act, which infused state educational systems with money for science and math to support national security. Next, the Elementary and Secondary Education Act of 1965 added further financial incentives to promote educational equality and development, thereby increasing the federal government's role in state education policy. By the 21st century, NCLB (2002) and ESSA (2015) were reauthorizations of federal policy that offered grant money to comply with federal accountability reforms (McGuinn, 2015). All the federal money led to the establishment of the Department of Education in 1980 to administer grant money and monitor initiatives.

Despite the new agency, shifting political power often needed to be more consistent, especially when states met federal efforts in education with varying degrees of resistance (McGuinn, 2015). State resistance to federal efforts in the 21st century included opposition to the consequences of not meeting annual yearly progress, according to NCLB (2002), and the Common Core effort to nationalize educational standards. ESSA (2015) attempted to resolve these state objections while keeping educational equality and equity as primary directives. Also, ESSA (2015) kept NCLB's (2002) market-based and competitive nature while increasing state and local control and charter schools. Sundquist (2017) stated that "ESSA diminishes federal

oversight of school performance while further expanding both consumer choice and deregulated teacher preparation programs, . . . [which] threatens to increase race-and class-based disparities in education” (p. 380–381). Federalism in education related to racial equity faces periods of activism or retrenchment that reduce the federal government’s power over prioritizing equity (McGuinn, 2015; Sullivan et al., 2021; Sundquist, 2017).

### ***State Policy***

State education boards and agencies control federal and state money distribution to programs and schools. While the federal government may set targets, the state decides how to implement the funds within its social context (Malen, 2003; McGuinn, 2015). For example, Castro (2021) and Welton and Williams (2015) documented how state-level college and career readiness (CCR) programs fell short of producing opportunity equity for Students of color. Both studies highlighted that the implementation challenges primarily resulted from state accountability that identified the students, campus, and community as deficits in a socioeconomic sense (i.e., intervention, high minority, and high poverty). With its racial/racist context, such labeling creates a hostile school climate that impedes CCR programs (Welton & Williams, 2015). While a law like ESSA prioritizes CCR and identifies schools with inequitable outcomes, the state implementation of those directives works against these goals.

Implementation of other state policies demonstrates the same tendency to have a racial/racist context: “High stakes testing and accountability policies have affected teachers’ curricular and instructional decision making . . . especially in low-income, high minority schools, where student test scores are likely to be low” (Hong & Hamot, 2020, p. 74). For example, the state policy in Michigan led to emergency fiscal management intervention for Detroit schools, a predominantly urban, Black district (Wright et al., 2020). Attitudes and policies that claim to be

color-evasive yet target majority Black and Latino districts are neoliberal and create a cycle of labeled deficits that ignore the correlation between state policies and inequity (Hong & Hamot, 2020; Wright et al., 2020). Control over instruction, curricula, or budgets can be perceived as punishment or rescue. Still, considering the legislative imbalance between People of color and White people, as well as wealth inequality, such state efforts are tainted with racism.

To understand such processes, Sampson (2019) delved into the machinations of state policy by looking at efforts to develop programs for ELs. The author noted that states prioritize policy needs, such as ELs, but often produce “symbolic, restrictive, or exclusionary” (p. 159) policies that counter goals to promote equitable outcomes. The roots and development of such policies point to the contrast between *rhetoric* and *reality*. Sampson (2019) further explained that rhetoric is the political justification to the public, while the reality is how districts and communities experience the policy. Districts and communities have some ability to resist or engage with state-level policies, but such efforts vary and are inconsistent in their application. Race and racism in state policymaking emerge from the distribution of power, resources, and knowledge that causes social stratification. The ability to set the political agenda for education policy is a critical power for state governments (Malen, 2003). Sampson (2019) explored the EL policy and its consequences with CPA but did not fully detail how the policy agenda emerged or how that agenda shaped the policy’s language. Sampson’s (2019) study demonstrated that those with power and influence over policy agendas and funding do not always consider other perspectives, resulting in states having considerable influence on school districts and reproducing inequity.

### ***Local Policy***

If states increasingly control educational policy, local districts must find a way to meld together initiatives to support equity, although those often need to be more coherent and consistent. Initiatives and policies include federal and state efforts, such as they are, and local interests and educational research. Consequently, it is up to districts, and even campuses and teachers, to center racial equity and justice for local implementation (Capper & Young, 2014). Williams et al. (2020) revealed this local power in an examination of the limited efforts of the Charlotte-Mecklenburg (North Carolina) school district to diversify the teacher workforce. As a result, efforts to build a diverse and antiracist district rely on ordinary operations decisions (Paris, 2012; Williams et al., 2020). While states may dictate educational standards, districts can support and/or resist directives (Malen, 2003; Paris, 2012). Essential operations may make a substantial difference in promoting racial equity by prioritizing the school experiences of Students of Color.

Local district policymakers must deal with the characteristics of neighborhoods that may be racially and economically segregated, therefore, physically unequal (Johnson, 2017; Mawene & Bal, 2020). Residential racism exists because of larger economic forces of wealth inequality, such as banking regulations and suburban growth that cause White flight from desegregation (Ayscue et al., 2018; Mawene & Bal, 2020). In two different studies of district level segregation, Ayscue et al. (2018) and Mawene & Bal, (2020) found local efforts for integration lacking. The “legal backsliding” (Ayscue et al., 2018, p. 4) away from desegregation orders leaves integration and equity to local policy that answers to the “interests and desires of residents and policymakers” (p. 9). Uneven implementation of state policy results from the pressure to meet community needs and wants while meeting the essentials of state policy.

Policymaking power is an interconnecting system of differing levels of control. Federal policy can broadly influence priorities like racial equity, but implementation rests with states and local districts. States seem vulnerable to racism (dysconscious or not) in policymaking, although local districts can alleviate that by placing a local priority on equity. What needs to be added to this literature is a better understanding of how more prominent social, economic, and political factors influence these layers of policymaking.

### **Research Gap**

Over the last 50 years, K-12 education policymakers shifted policies from addressing racism to a market model of performance and opportunity (J. Scott & Quinn, 2014; Walker, 2017).

However, the policy agenda of performance and opportunity has not erased the prevalence of racism in education, evident through scholars' analyses of the policy issues of neoliberalism, whiteness, and racism. The literature about racism in policy falls into three categories: influences that make policies racial, interrogating race-neutral policies, and racialized outcomes to educational policy. A CRT-related educational policy designed to eliminate CRT from K-12 education has not been studied.

As a result, more research about CRT-related educational policies needs to be done. The development of policies related to CRT represents a return to whiteness as the dominant culture that imperils American K-12 education. Educational stakeholders recognize this moment as significant, albeit for distinct reasons, thereby making a detailed policy analysis crucial to understanding CRT-related policy impacts. The literature shows that racism and white supremacy often function in hidden and covert ways. Using WSC with a critical policy analysis uncovers how the process and language frame state documents. This study provides a foundation

for CRT-related policies that will move the conversation from reaction to empirical understanding.

### **Summary**

In the previous sections, I gave an overview of race and racism in U.S. education and schooling, including the background and persistence of education policy dilemmas regarding race and racism. Then I considered how education and schooling had become targets for policy intervention concerning race and racism. Next, I focused on critical racial issues in education policy, such as neoliberalism, whiteness, and racism. Lastly, I examined policy actors on education from the federal, state, and local levels. This literature analysis explained the policy environment in which current CRT-related policies have been enacted so that the policies and their impact on K-12 education can be understood. However, the literature does not reveal the perils of CRT-related policies which is why a detailed analysis is needed.



## **CHAPTER 3**

### **METHODOLOGY**

The purpose of this study was to examine Iowa, Florida, and Texas’s educational school policies related to CRT. In this chapter, I describe the critical policy analysis approach used to answer the research question that anchors this paper. First, I discuss the philosophical underpinnings that guide this research approach. Then, I introduce the qualitative research design as appropriate for this study. Next, a description of the CPA methodology is presented to examine Iowa, Florida, and Texas’s educational school policies. Then, I explain why Iowa, Florida, and Texas are the sites for this study. Afterward, I discuss the method for data collection and analysis. I conclude this chapter with a discussion of the trustworthiness and delimitations of this study.

#### **Philosophical Underpinnings**

The approach to this study was guided by historical realism and critical research paradigms. Historical realism considers the “social, political, economic, ethnic, and gender values” (Scotland, 2012, p. 13) as socially constructed and fluid, which seeks to understand why events or ideas emerge the way they do (Waites, 2011). The ontology of this paradigm represents three layers of existence: physical, social, and structural (Germain, 2019). Physical existence includes how an individual moves about the world through observations, interactions, and stimuli. Social existence consists of experiences within and outside social groups as individuals experience the physical world. Structural existence is the less tangible forces that create societal processes and hierarchies. Historical realism balances these existences and seeks to understand how power can affect human existence. Historical realism’s ontological foundation helped me

approach this study with a focus on multiple realities shaped by uneven power dynamics, especially race and racism.

Educational policies establish “causal mechanisms” (Parra et al., 2021, p. 169) that operate in numerous ways, so critical research seeks to understand those interactions. A critical research paradigm assumes that inequity and asymmetrical power are built into social realities and structures (Kekeya, 2019). Scholars using critical research recognize that uncomfortable truths exist, albeit within a socially constructed framework (Kekeya, 2019; Parra et al., 2021). Social realities, such as racism, exist as structures and must be revealed to transform those realities. Critical research examines how politics, ideology, and culture shape educational institutions, including how they resist reform (Egbo, 2005; Kekeya, 2019). The critical analysis relies on the inquiry into “values and assumptions” (Scotland, 2012, p. 13) while challenging the status quo and aiming for emancipatory knowledge and social justice. For this study, a critical approach targeted the causes and implications of anti-CRT policy claims to be antiracist.

Historical realism and critical paradigms recognize that laws and policies are socially constructed with a historical and current context that reinforces oppression and privilege. The epistemological, ontological, and axiological stances of historical realism and critical research paradigms assisted me in making explicit connections between the theoretical framework, literature, and the research process of this research. This analysis strengthens the possibility for social change or praxis in race-related educational policies. Since educational opportunity is a keystone for the functioning of American society, it is imperative to deeply analyze how educational policy affects the experiences of all educational stakeholders. Particularly individuals and groups who lack influence on educational policy call for attention and research on developing, implementing, and evaluating controversial policies.

## **Research Approach**

Qualitative research is “an iterative process” (Aspers & Corte, 2019, p. 155) that interprets up-close and in-depth characteristics using theory and evidence to improve understanding. According to Tierney and Clemens (2011), qualitative research also provides situational context, a comparison of causation and complexity, and a voice for those without power. A qualitative research design allows for interpreting how society operates and constructs itself, which enhances an understanding of the world (Bettez, 2015). Such improved understanding benefits abstract terms or terms communicated without nuance (Tierney & Clemens, 2011). Additionally, educational institutions and policies exist in a “constant state of flux” (Tierney & Clemens, 2011, p. 31) that qualitative analysis breaks down. This study used a qualitative research design to reveal nuance and understanding of anti-CRT policies.

## **Methodology**

The methodology for this study was CPA to examine uneven power dynamics and the policy process (Cairney, 2021; Diem et al., 2019). Prunty (1985) explained that traditional, scientific analysis hid “the issue of values and the ethical and political implications of the analysis, and to limit the activity of policy analysis to the description of the status quo” (p. 133). When groups without power get centered in policy analysis, questions emerge about who truly benefits, and in the United States, social and racial stratification makes CPA valuable (Bradbury, 2020; Chase et al., 2014). Since schools are essential for socialization and acculturation, understanding the power dynamics between educational institutions and society is a priority (Apple, 2019; Prunty, 1985). CPA allows for diverse ontological frames incorporating various disciplinary strengths, such as sociology, history, political science, and economics, to produce a deep understanding of schools’ unique position within society (Diem et al., 2014). CPA seeks to

transform policy through discourse on values and power (Ching et al., 2020; Hankivsky et al., 2014; Rata, 2014; Young & Diem, 2014). Education is currently at the center of debates about ideology and knowledge—what is taught—and whose interests it serves, which made CPA an appropriate methodology for this study (Apple, 2019).

CPA rests on certain assumptions and examines “how [policy] emerged, what problems it was intended to solve, how it changed and developed over time, and its role in reinforcing the dominant culture” (Diem et al., 2014, p. 1072). According to Scheurich (2013), social construction and social regularities in complex group relations provide a schema to understand the archaeology of policy—problem identification, possible solutions, and evaluation. Also, social structures unevenly constrain or enable the choices to negotiate policy implementation (Coburn, 2016). Social structures also operate with values: democracy, equality, meritocracy, equity, and inclusion (Chase et al., 2014). Hence, the historical development of policy reveals what values matter and how they change (Sullivan et al., 2021).

As identified by Young and Diem (2018), the five core practices of CPA are as follows:

1. CPA examines the difference between policy rhetoric and practiced reality.
2. CPA interrogates the roots and development of educational policy.
3. CPA explores the distribution of power, resources, and knowledge and the creation of “winners” and “losers.”
4. CPA is concerned with social stratification and the impact of policy on relationships of privilege and inequality.
5. CPA is interested in resistance to or engagement in policy by members of historically underrepresented groups. (p 81)

These principles provide a method for looking at a policy's "interrelated elements— production, distribution, and reception" (Apple, 2019, p. 280). Policy often develops from multiple streams of input that wrestle in the public square, whether local, state, or national (Bradbury, 2020). CPA also calls for "engaged and activist research [to] identify and expose inequities and social injustices" (Diem & Young, 2015, p. 842) to participate in the struggle for social justice changes in the educational system.

### ***Development***

The development process determines what values and ideas come to the forefront of policymaking within a "context of influence" (Bradbury, 2020, p. 247). Firstly, an influential group can urge a solution to a perceived problem without considering whether the problem is prioritized across stakeholders (Bradbury, 2020; Diem et al., 2019). Secondly, inadequate problem analysis occurs when groups are left out (Bradbury, 2020; Potter, 2021). Lastly, a policy problem that distracts from more significant systemic issues has a flawed origin (Aydarova, 2020). Political polarization and performance make CPA even more critical since it deconstructs rhetoric versus reality (Aydarova, 2020; Diem et al., 2014).

### ***Implementation***

The policy's language and implementation are about messaging—how groups are portrayed, and priorities are understood in the "context of text production" (Bradbury, p. 247, 2020). This portrayal can be seen through terms like *disadvantaged* or race-neutral verbiage perpetuating the status quo (Bradbury, 2020). The policy language can produce inconsistencies and inequities despite the policy agenda (Chase et al., 2014; Mansfield & Thachik, 2016). Research has shown that since local districts and institutions must interpret policy intentions, race-neutral language can dilute equity and justice goals through vulnerability to racial biases

(Chase et al., 2014; Ching et al., 2020; Felix & Trinidad, 2020). Vague or incomplete wording can allow entities to resist integration and equity goals actively by forming “new regimes of truth” (Bradbury, 2020, p. 247; Sullivan et al., 2021).

### ***Evaluation***

Critical policy evaluation examines the “context of practice, ” how policy functions, and its intentional and unintentional impact (Bradbury, p. 247, 2020). Outcomes that are “symbolic, restrictive, or exclusionary” (Sampson, 2019, p. 158) complicate the benefits of educational policy and limit school-based initiatives (Bradbury, 2020). The absence of race as a part of the social context within policy implementation produces negative consequences for People of color (Bradbury, 2020; White et al., 2020; Wright et al., 2020). Understanding the anti-CRT educational policy shines a light on the values behind the political theater “that promotes solutions for invented problems” (Aydarova, 2020, p. 2) and asks whether this is a positive direction for education. Analyzing the policies also encourages conversation about race and racism and their systemic influences, which those with power have long denied (Wright et al., 2020). Examining policy texts uncovers alternative perspectives and impacts beyond the controlled messaging of policymakers (Diem & Young, 2015; Paradis et al., 2020).

### **Methods and Procedures**

This study used a document analysis method. Bowen (2009) defined *document analysis* as “a systematic procedure for reviewing or evaluating documents [which] requires that data be examined and interpreted to elicit meaning, gain understanding, and develop empirical knowledge” (p. 27). Documents vary in type and scope but have a particular purpose and use within a given situation (Morgan, 2022a; Tight, 2019). Document analysis reveals how text depicts people and issues, which becomes the data for a document analysis study (Chanda, 2021;

Morgan, 2022a). Morgan (2022a) and Tight (2019) pointed out that document research has strengths, such as not being influenced as an object of research, accessibility, and cost-effectiveness. Document analysis identifies how events and conditions change and influence the policy environment (Bowen, 2009). Codd (1988) explained that education policy particularly relates to the social environment as an expression of society and an instrument for maintaining social relationships. For this reason, educational policy is often ideological and should be the object of attention for policy research. For educational legislation, documents have particular usefulness because they reveal the goals of a particular agenda, including how political power influences the language of the policy, what is done, and what is left out (Codd, 1988; Merriam & Tisdell, 2016; Tight, 2019).

This study utilized only CRT-related legislation from selected states for analysis. The benefit of using legislation is that the documents are authentic, credible, and representative since they come from legislative records (Merriam & Tisdell, 2016; Morgan, 2022). The purpose of this study was to understand the meaning of the documents concerning CRT, mainly how these policies maintain racism rather than eliminate it. Tight (2019) noted that policy is often “responses, often somewhat speculative, based on a particular perspective, such as that of a political party” (p. 123). Understanding the interaction of power and perspective on policy helps to identify the intended and unintended consequences. Codd (1988) explained policy research in the following way:

Analysis for policy can take two different forms: (a) policy advocacy which has the purpose of making specific policy recommendations; and (b) information for policy, in which the researcher’s task is to provide policy-makers with information and data to assist them in the revision or formulation of actual policies. Analysis of policy can also

take two different forms: (a) analysis of policy determination and effects, which examines ‘the inputs and transformational processes operating upon the construction of public policy’ and also the effects of such policies on various groups; (b) analysis of policy content, which examines the values, assumptions, and ideologies underpinning the policy process. (p. 235–236)

This study utilized legislative documents to analyze policy to better understand the conflict between the stated goals of selected legislation and the meaning of that legislation through a lens of white supremacy culture.

### **Selected Legislation**

The selected legislation for this study focused on state-level government efforts to enact race-related educational policy rather than local or national policy. States control education operations more than the federal government, which must rely on funding incentives for influence. Local agencies are sites of implementation and largely control only day-to-day decisions. Of the 42 states that began a policy process to control race- (and gender-) related instruction, only 17 have formally passed laws in effect from the summer of 2021 to September 2022 (Schwartz, 2021b, 2022). To restrict the case selection to a sampling of three, only states that successfully entered a “racialized statehood . . . manifested in large part by the arguments allowed and disallowed through oppressive structures” (Patel, 2016, p. 118) like restrictions on classroom content and conversation about race were considered. Also considered were states that influence education materials, media attention, or political trends and have the political clout to garner national attention. Of the states with race-related legislation, Texas, Florida, and Iowa fit the criteria for successful race-related educational legislation and its significance to education policy. Each state has a governing trifecta, where the same party (Republican) controls the



governorship, the state Senate, and the state House of Representatives that enable policy development and passage.

**Table 1**

*Summary of Legislation*

| Iowa House File 802, 2021  | Florida House Bill 7, 2022  | Texas House Bill 3979, 2021                             |
|--|---|---|
| Creates new statutes for diversity and inclusion for government agencies and educational institutions. | Changes and amends civil rights and education statutes on required instruction and instructional materials. | Amends education statutes on social studies curriculum. |
| Government agencies<br>K-12 and higher education institutions  | Workplace training<br>K-12 and higher education institutions<br>K-12 instruction                            | K-12 social studies                                     |
| 89th Legislature, Regular Session  | 2022 Regular Session  | 87th Legislature, Regular Session                       |

***Iowa***

Iowa politics are “moralistic and individualistic” (Green, 2020, p. 5), meaning that the state tends to be conservative in policy, e.g., limited government and individual responsibility. Despite a tendency to vote independently without regard to party affiliation, Republicans control the governor’s office, the state Senate with 32 out of 50 seats, and the state House of Representatives with 60 seats out of 100 (Ballotpedia, 2022b; Green, 2020). Conger and Racheter (2006) noted that while Iowa holds traditional values, they are “largely unwilling for the government to impose standards of behavior on people” (p. 129). This attitude has influenced education policy, particularly related to CRT.

In contrast with Texas and Florida, Iowa has a population below the national average (United States Census Bureau, 2021), and the state governor commands regular attention from the media. However, Iowa is a crucial political state because it is the first presidential primary and is seen as a political bellwether. Additionally, Iowa is a battleground state that shifts between majority wins for Democrats and Republicans (Green, 2020; Lach, 2020). Iowa HF 802 (2021), signed by Governor Kim Reynolds and effective on July 1, 2021, limits instruction on the US or Iowa being systemically racist and individuals from being racist (Richardson, 2021). Regarding the bill, Governor Reynolds said:

Critical Race Theory is about labels and stereotypes, not education. It teaches kids that we should judge others based on race, gender, or sexual identity rather than the content of someone's character. I am proud to have worked with the legislature to promote learning, not discriminatory indoctrination. (Richardson, 2021, p. #)

The policy context of Iowa's HF 802 (2021) began on March 8, 2021, approximately six months after President Trump's initial criticism of The 1619 Project and CRT interpretations of American society and history. Introduced by the chairman of the Judiciary Committee, Representative Steven Holt (Republican), HF 802 brought an unfunded mandate to affect Title VII, Education, and Cultural Affairs, of the Iowa Code related to training and diversity and inclusion efforts at school districts and in higher education (HF 802 Introduced, 2021). This legislation was part of a more significant effort to control education by amending the education code regarding civics education and nonpartisan curricula; however, those efforts did not advance in the 2021 general assembly. In contrast, HF 802 (2021) moved through the legislative process in less than three months, and the Iowa House Journal does not indicate a contentious

debate over the bill. Notably, the bill created new statutes for the Iowa Administrative Code to answering concerns about racial and sex stereotyping in training and education.

### ***Florida***

Since the 1990s, Florida has been led by a Republican party (Mormino, 2022). Currently, 23 of the 40 state Senate seats and 76 of the 120 House of Representative seats are held by Republicans (Ballotpedia, 2022a). The governor is also Republican, making a political trifecta that assures a partisan agenda of reaction to economic and social change (Mormino, 2022). This induces concerns about education policy that can reverberate nationally. Occurring more than one year after President Trump's remarks about *The 1619 Project* initiated concerns about CRT, HB 7 (2022) introduced additions to the Florida Civil Rights Act (1992) and the Florida Educational Equity Act (1984) to expand civil rights and prohibit discrimination, providing an example for other Republican state leaders.

Florida is the third-most populous state, but the media attention of Governor Ron DeSantis makes him a leader on policy and perhaps even for the Republican presidential nomination (Hounshell & Askarinam, 2022; Contorno, 2021). This media relationship makes Florida key to the diffusion of the contention about CRT, moving the issue to other states regardless of politics (Tilly & Tarrow, 2015). Known in the media as the Stop the Wrongs to Our Kids and Employees (WOKE) Act, HB 7, received the governor's signature in March 2022 and took effect July 1, 2022 (Pendharkar, 2022a). While the bill required instruction on racial history, it did prohibit approaches that might cause guilt or teach that colorblindness is negative. The Office of Governor Ron DeSantis's (2022) official statement after signing HB 7 said,

No one should be instructed to feel that they are not equal or shamed because of their race. In Florida, we will not let the far-left woke agenda take over our schools and workplaces. There is no place for indoctrination or discrimination in Florida. (para. 2)

Due to this law, DeSantis announced the removal of half the state's approved math textbooks (Solocheck & Tobin, 2022).

The legislative process of HB 7 (2022) indicated steady movement toward passage through the House and Senate from January to March 2022. Passage of HB 7 (2022) began when Florida Representative and Speaker Pro Tempore Bryan Avila (Republican) introduced the bill. The text of HB 7 (2022) went through five iterations, with significant amounts of text, primarily that related to CRT, remaining the same throughout. The bill was signed by Governor Ron DeSantis on April 22, 2022, and took effect in July. The seven sections of the bill impacted Florida's Administrative Code regarding unlawful employment practices, prohibition of discrimination against students and employees in the Florida K–20 public education system, K-12 required instruction (Florida HB 7, 2022), instructional material reviewer duties, educational employee professional development, K-12 student and parent rights, and use of instructional materials (Florida HB 7, 2022). Three sections, Sections 1 through 3, included CRT-related references within the context of protecting civil rights.

### *Texas*

Texas is a conservative state, regardless of political affiliation or policy area, although Republicans control the array of policies coming out of Austin (Thorburn, 2014). This political power includes the office of the governor and both legislative chambers. In the 87th legislative session in 2021, Republicans controlled the state Senate with 18 of 31 seats and the House of Representatives with 82 of 150 seats (Texas Legislative Reference Library, n. d.). However, this

does not mean that the political environment is homogenous, with “ideological and policy differences” (Thorburn, 2014, p. 214) within the Republican party and trends that indicate growing strength with the Democratic party (Epstein, 2022). Education policy is critical to the state’s economic future, so political agendas often include education initiatives (Jillson, 2020).

Educational publishers and developers make decisions based on the standards and goals of Texas because the population of Texas represents the second largest in the nation (United States Census Bureau, 2021; Goldstein, 2020). Because of shifting demographics, it is also seen as a political battleground state (Walter, 2020). These factors make Texas a site for contentious politics. In the 87th Texas legislature in 2021, HB 3979 passed, effective September 1, 2021. The law encouraged the recognition of familiar narratives in American histories, such as the Founding Fathers, the abolition of slavery, the struggle for civil rights, and even the consequences to Native Americans from the westward movement. However, it controls how a teacher may instruct on race and racism, historically and in current events. Governor Greg Abbott said, “House Bill No. 3979 is a strong move to abolish critical race theory in Texas, but more must be done” (Office of the Texas Governor, 2021, para. 1).

The biennial 87th Texas state legislature was complicated. HB 3979 (2021) was passed during the regular session in the spring of 2021, but three special sessions held over the summer and fall of 2021 accomplished the legislative agenda of Governor Greg Abbott and the Texas Republican party. The specially called sessions were due to the breaking of quorum by Texas Democrats in May to stop restrictive voting policies from passing. That level of political resistance points to a tense and polarized political environment in Texas. In this context, HB 3979 (2021) and the subsequent clarifying legislation, Senate Bill 3 (SB 3; 2021), addressed CRT in education. Filed by Texas Representative Steve Toth on March 11, 2021, HB 3979

(2021) took ten weeks to process through the legislature. Within the same national, political zeitgeist as Iowa's HF 802 (2021), Texas HB 3979 (2021) connected social studies education standards to prohibitions about CRT. The story of HB 3979 (2021) demonstrates the competing values at work in CRT-related educational policy.

Significant textual changes occurred in the Education Committee since the original bill addressed civics education while subsequent readings and the House engrossed version addressed the social studies curriculum. The original filed version focused on preventing CRT and divisive concepts under the guise of civics and anti-discrimination. The House engrossed version expanded the language of HB 3979 (2021), demonstrating a sociopolitical struggle to define civics and history education. Eventually, this policy process resulted in a legislative order to revise parts of the Texas Essential Knowledge and Skills. The House version remained unchanged through the Senate, although SB 3 (2021) passed during the special session and superseded HB 3979 (2021). With the intent of addressing civic education standards and CRT, the goal of the filed HB 3979 (2021) was accomplished by SB 3 (2021). The text of HB 3979 (2021) represented contradictions related to CRT legislation that led to more strident standards requirements in SB 3 (2021). In both legislative efforts, CRT was a part of the framing; however, the analysis of this study focused on regular legislative sessions. Therefore, SB 3 (2021) was only considered as a part of the context of how HB 3979 (2021) responded to concerns about CRT in education.

In summary, the states of these governors represent a system of values and goals that hide "an image of society" (Prunty, 1985, p. 136). Therefore, a CPA of race-related policies in Texas, Florida, and Iowa demonstrated the role of power in the service of racism and white supremacy following the protests for racial justice in 2020.

## Data Collection

I used document analysis to interrogate the anti-CRT educational policies. Diem and Young (2015) noted that CPA analyzes the policy process as “a deeper inquiry into the roots of educational policy work, the contextual nuances and complexities of the policy process, and the unintended and often overlooked consequences of policy solutions” (p. 841). As a data collection approach, document analysis provides a “detailed description of a single phenomenon, event, organization, or program” (Bowen, 2009, p. 29). Document analysis can reveal various interpretations critical to contested meanings, such as policy content. Particularly important for policy research, using documents provides a way to track development. If documents are authentic (i.e., genuine), credible (i.e., error-free), representative (i.e., typical), and meaningful (i.e., significant), they are worthy of study (Morgan, 2022a). For this study, document analysis was a method to collect appropriate policy documents.

To accomplish this goal, I located publicly available engrossed<sup>2</sup> and enrolled<sup>3</sup> legislation from government websites (Diem et al., 2019; Mansfield & Thachik, 2016; Young & Diem, 2018). Public documents provide contextual, rhetorical, and intentional frames through which the CRT policies may be understood. For this study, data collection focused on the legislative sessions from 2019 through 2022, which provided a snapshot before the George Floyd murder and the backlash resulting from *The 1619 Project* through the enactment of anti-CRT policy. These events are part of the current catalyst to the public discourse about race, racial justice, and values that intersect with political polarization. Data collection came from publicly available documents and included the following:

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<sup>2</sup> Engrossed legislation means legislation introduced for committee and debate.

<sup>3</sup> Enrolled legislation means legislation signed into law.

1. *Enrolled legislative policy.* Enrolled legislation includes the recent anti-CRT bills: Florida's HB 7, Iowa's HF 802, and Texas's HB 3979. The text of this legislation influences curriculum and teaching. Enrolled legislation is the product of the sociopolitical context and legislative and policy development process. These documents provide official definitions and requirements that serve as the foundation for statutory guidelines in the education code (Codd, 1988). When compared, similarities and differences will point to themes and findings for the study.
2. *Legislative documentation.* Legislative documentation is engrossed legislation, any committee minutes, notes, and amendments related to the development of the enrolled legislation. Studying these ancillary documents allows tracking change and development within each legislative process. Using these documents to understand how each bill changes highlights how language and power influence policymaking.

### **Data Analysis**

For this study, the data analysis involves readings of the data, memoing, two coding cycles, organizing themes, and interpretation (Creswell & Poth, 2018). According to Saldana (2021), "a code in qualitative analysis is most often a word or short phrase that symbolically assigns a summative, salient, essence-capturing, and/or evocative attribute for a portion of language-based or visual data" (p. 5). Multiple readings of the data corpus were prepared for the coding process. The first coding cycle examined each case's public policy documents and used inductive structural coding using a priori codes based on the tenets of CPA and characteristics of WSC. Inductive coding uses the data record's text, words, and phrases. First-cycle codes vary from single words to full-page text. For this study, a priori codes connected to CPA included policy rhetoric, policy roots, policy development, policy intentions, policy solutions, reinforcing



dominant culture, distribution of power, distribution of resources, distribution of knowledge, effect on inequality, effect on privilege, effect on social stratification, resistance to policy, and engagement with policy, color-evasive, neutrality, meritocracy, and identity (Diem et al., 2019). A priori codes related to WSC characteristics examined the policies for examples of white supremacy. Using a codebook organized the first cycle themes into categories and themes (Creswell & Poth, 2018; Saldana, 2021).

Second-cycle coding is the “synthesis” of meanings translated by the researcher (Saldana, 2021, p. 6). The second coding cycle is deductive pattern coding, which compares the cases’ themes. These codes include a reconfiguration from notetaking and first-cycle codes building to a pattern of refined analysis (Marshall & Rossman, 2016; Saldana, 2021). Pattern coding allows for a cross-case analysis that includes “higher-level themes, concepts, and theoretical constructs” (Saldana, 2021, p. 323). A second cycle codebook identifies emerging themes and categories (Marshall & Rossman, 2016; Saldana, 2021). I analyzed codes three times in this coding cycle, streamlining and updating subcategories with each coding cycle. First, I conducted a pattern coding technique to identify initial codes. Then, I created the reorganized and condensed subcategories through focused coding. According to Saldana (2021), focused coding searches subcategories for the most frequent or significant codes based on thematic or conceptual similarity. Lastly, the codes were analyzed to identify themes responsive to the purpose of the study. These themes then pointed my findings toward how educational school policies related to CRT in Texas, Florida, and Iowa as framed in state documents.

**Table 2***Findings from Coding Process*

| Findings                         | Themes   | Codes   |
|----------------------------------|--|---|
| Legislative Context of Control   | Timing<br>Statutory Code                                       | 2021-2022<br>Employment practices<br>Discrimination<br>Professional development<br>Training<br>Required instruction<br>Curriculum<br>Instructional programming<br>Instructional materials<br>Student rights<br>Employee rights                                      |
| Naming of Racism                 | Language<br>Stereotyping<br>Scapegoating<br>Meritocracy        | Equality<br>Racist<br>Race<br>Systemic racism<br>Character traits<br>Privilege<br>Diversity<br>Oppressive<br>Adverse treatment<br>Blame<br>Fault<br>Responsibility<br>Distress<br>Guilt<br>Discomfort<br>Meritocracy/Merit<br>Individualism<br>Hard work/work ethic |
| Delivery of Race-related Content | Discrimination<br>Curriculum<br>Civic Education<br>Instruction | Concepts<br>Curriculum<br>Freedom (of speech, expression)<br>Race<br>Perspectives, point of view<br>Compelled/Inculcate<br>Promote<br>Civic knowledge   |

| Findings | Themes | Codes  |
|----------|--------|--|
|          |        | Democracy<br>Representative government<br>Founding documents<br>(Declaration of Independence,<br>the Constitution)<br>Historical concepts (African-<br>American, slavery)<br>Specified primary documents |

### **Trustworthiness**

Trustworthiness relies upon four criteria: credibility, transferability, dependability, and confirmability (Tierney & Clemens, 2011). The credibility of this study relied upon the detailed description and data analysis of the roots and development of anti-CRT policies in Florida, Iowa, and Texas, including data triangulation and verification of interpretations with the dissertation chair, Dr. Roland (Stahl & King, 2020; Tierney & Clemens, 2011). Triangulation used within cases and a priori codes to conduct cross-case pattern analysis and peer debriefing (Stahl & King, 2020). The document analysis's emerging "thick description" provides a depth context of anti-CRT policy for transferability to other critical policy studies (Stahl & King, 2020; Yin, 2013). Dependability was conferred through reflexivity journals before, during, and after multiple document examinations (Stahl & King, 2020). This trustworthiness technique bracketed textual observations and coding from interpretations to audit my values. Inductive and deductive data analysis with CPA and WSC criteria asserts the confirmability of the study as a part of a more extensive theoretical analysis of society in general (Stahl & King, 2020; Tierney & Clemens, 2011).

## **Delimitations**

This study's chosen limits, or delimitations, reflected my interest in the state development of anti-CRT policy and its relevance to K-12 education. Although anti-CRT policies that include higher education could provide a broader analysis of the movement in education, it is beyond the scope of this dissertation. Only anti-CRT policies were studied, not all race-related policies. The reasoning for this boundary was to highlight the current political influences on educational policy, although including other race-related policies would expose the breadth of racism in educational policy. This study focused on only three states representing one side of the national conversation about race and racism in education. Florida, Iowa, and Texas were chosen as cases due to their national profiles and influences on educational policies nationwide. Including other states would offer insight into other perspectives about race and racism in education and recognize successful efforts at resisting anti-CRT policies. Also, I only used public documents as data. This study focused on politicized public discourse to understand how educational systems are susceptible to racism and identity politics. I narrowed the data to 2019 through 2022 because CRT in education became a policy issue. Expanding the time frame would allow for a longitudinal analysis but risks shifting to a historical thesis.

## **Summary**

This chapter explained the methodological process of studying anti-CRT legislation. Critical theory, specifically CRT, is the philosophical foundation that queries the role of race and racism in educational policymaking despite claims of equality and antiracism. CPA evaluates issues of development, implementation, and evaluation of policies through multiple case studies that compare recent bills by Texas, Florida, and Iowa. Data collection for this study was based

on publicly accessible documents to analyze the presence of racism in this example of policymaking.

## CHAPTER 4

### FINDINGS

The purpose of this study was to examine the framing of educational school policies related to CRT in Iowa, Texas, and Florida. The research question was: How are educational policies related to CRT framed in state documents? Using Okun's (2021) WSC and CPA, I identified three findings: (a) the legislative context of control, (b) the limited or absent naming of racism, and (c) the focus on the delivery of race-related content. Subthemes further identified the bills' text within the WSC framework.

#### **Finding 1: Legislative Context of Control**

The legislative context of Iowa's HF 802 (2021), Texas's HB 3979 (2021), and Florida's HB 7 (2022) included the subthemes of timing and connections to statutory code. In this finding, *timing* refers to the date of passage, and references to the *statutory code* reflect what statutes each bill modifies. These two features were not accidental and reflected decision-making by politicians. Furthermore, such decisions were not apolitical because they represented a sense of urgency to control and define standards within the educational environment. According to Okun's (2021) WSC, urgency produces quick, visible results reinforcing existing power. Urgency also discourages democratic discourse that is open to new ideas and solutions. The timing of legislation in each state represented a strong sense of urgency.

Additionally, Okun's (2021) WSC explained the control of standards as a type of paternalism that presumes those with power know best how to define things without the perspectives of others. By connecting each bill to a specific statutory code, the legislation represented control of educational standards. In this way, the theoretical framework underscored how the timing and connections to the statutory code produced the legislative context of control.

### ***Timing***

The timing of each bill reflected a reaction to the larger sociopolitical conversation regarding racial justice and equity since the release of the *New York Times's The 1619 Project* and the protests related to the murder of George Floyd in 2020. In September 2020, President Donald Trump connected that sociopolitical conversation to CRT in education through his national political platform. As a result, the November 2020 election made state legislative sessions the setting for educational policy related to CRT in the following years.

Iowa and Texas legislatures met from January through May 2021 for regular sessions, during which their respective policies developed. This time frame represented a desire for a quick response to answer the call to action caused by national attention to CRT. Particularly in Iowa, where the legislature meets annually, the rush to action stood out because of the desire for a local policy about CRT. On the other hand, Texas meets biennially, so the policy time frame needed to be more flexible to address potential issues or agenda items. As a result, a high-interest topic on the Texas agenda made more sense. However, although this legislature meets annually, Florida did not pick up its CRT-related legislation until its 2022 (January–March) session. The likely cause for the delay is that the Florida Department of Education banned teaching CRT on June 10, 2021 (Solochek & Tobin, 2021). However, calls for more definite legislative action emerged by the end of 2021 after the annual session in Florida. In each situation, the issue of CRT in education became a part of state agendas in response to the national discussion about race and racism.

Along with the rising priority of CRT, the speed at which CRT-related legislation moved through each state is notable. Each state's legislature accomplished its bill in one legislative session from introduction to signing. For example, Iowa's HF 802 (2021) took two months,

March 8 to May 6, to pass both legislative chambers. Texas's HB 3979 (2021) took slightly longer, from March 6 to May 31, to clear the legislative chambers. Florida's HB 7 (2022) also developed over two months, from January 11 to March 10. This progress through committees and debates represents a strong political desire, although a single party dominated all three legislatures, which provided momentum. In addition, these bills provided evidence of political action related to sociopolitical race conversations that appeased the anxieties of some people invested in whiteness. Still, the urgency with which CRT-related educational policy moved through the legislature overwhelmed any other legislative efforts at addressing race and racism or other social injustices. That result was the main objective of urgency in WSC (Okun, 2021).

### *Statutory Code*

The legislation creates, changes, or amends statutes that establish governance rules. Iowa created new statutes to address concerns about race and racism. The policy of HF 802 (2021) restricted concepts related to CRT analysis to (a) training and (b) diversity and inclusion efforts. The implication was that including the perspectives of People of color threatens White people. HF 802 impacted two areas of Iowa's code: State Sovereignty and Management (Title I) and Education and Cultural Affairs (Title VII). Both areas addressed employees' experiences with students, also included under Title VII. Title I, chapter 25A focused on government entities' workplace training and used the same CRT-related concepts as those under Title VII, Education, and Culture. However, the placement of CRT-related language in Title VII explained the policy objective in HF 802 (2021).

There were two areas where HF 802 (2021) impacted education: institutions of higher education and public school districts. For higher education, the bill created a new standard for speech and expression (Chapter 261. h). The enumerated concepts were situated within Chapter



261. h, they explained that higher education institutions must protect White culture from criticism and discomfort. Using a new statute relating to speech and expression left course curricula unmentioned. Okun's (2021) WSC traits of defensiveness and a right to comfort revealed an unspoken policy goal in this statutory position. For public school districts, CRT-related concepts are connected with the duties and powers of the district and campus directors regarding training and curricula (Chapter 279, Section 74). This accountability meant that principals and superintendents must implement control over the curriculum used in employee training and courses for students and teachers. Not only did this restrict criticism, but it manifested paternalism by making principals and superintendents comply with the prohibitions regarding race talk. To protect their careers, those individuals had to monitor and interpret whether any curricula violated the statute. The ways these standards have impacted education are unnamed but perpetuate a cultural view grounded in whiteness. This forced collusion has shielded lawmakers from accountability about the effects of the standards set by the bill, which the lawmakers defined. By creating new statutes, Iowa reinforced white supremacy without affecting curricula.

Rather than creating new statutes, Texas used HB 3979 (2021) to amend section 28.002 of the Texas Education Code, which controls required instruction for K-12 schools. This bill directed the Texas State Board of Education (Texas SBOE) to modify social studies standards to comply with the amended required instruction by December 31, 2022. Updating social studies standards occurs regularly, but HB 3979 (2021) dictated items to the Texas SBOE. Specifically, the bill added four new subsections to required instruction: a list of primary documents (h-2), restrictions on teachers and concepts that restrict instruction on race (h-3), banning private funding for a curriculum that violates Section h-3, and a statement that HB 3979 (2021) is not

meant to limit free speech (h-5). In framing standards about social studies through control over race talk, the Texas legislature assumed their qualification to determine required instruction independently from the usual process of the Texas SBOE.

This paternalistic assumption created a list of primary documents for instruction that imply a history of diverse perspectives. However, this list needed to position these documents within existing standards, leaving unanswered what grade level and how these documents should be incorporated. This oversight indicated the dismissal of education expertise and the desire to flex decision-making in response to CRT anxiety. That disregard for the experiences of others is a criterion for paternalism (Okun, 2021). The CRT-related limitations on instruction about race followed this document list in Section h-3. Teachers had to comply with those restrictions and not “give deference to any one perspective” (Texas HB 3979, 2021, p. 4). That requirement forced teachers to assimilate these CRT-related defined concepts into their teaching without regard to their experience and knowledge. The documents in Section h-2 presented a complicated historical legacy of racism against People of color. Yet, teachers had to ensure the protection of White identity according to the restrictions of Section h-3. Also, Section h-5 increased the burden of compliance because student discussion could not be controlled by Section h-3. In using the existing statute about required instruction, Texas targeted rules to the social studies curriculum in K-12 schools only. The Texas legislature used its power over public schools to paternalistically control how students understand United States history and the government.

To further complicate the content of social studies, the Texas legislature passed SB 3 (2021) in the fall special session, which removed the list of documents from HB 3979 (2021), Section 1, Statute h-2. A civic education program replaced those documents. Still, Section h-3 limitations remained in place, as did the requirement for the Texas SBOE to revise the social

studies standards. This later action did not alter the paternalism of HB 3979 (2021); it just framed the required instruction from a civic perspective rather than a historical one. The replacement of historical documents with civic foundation documents made the overall paternalism even more protective of founding documents (e.g., Okun’s worship of the written word).

Furthermore, this change to required instruction reinforced a belief in the superiority of the founding of the United States without any room for diverse perspectives. Using Okun’s (2021) framework, there is one-right-way to believe about the United States, and the Texas social studies standards inculcated that view over any other experiences or beliefs. While the development of SB 3 (2021) superseded HB 3979 (2021), it strengthened paternalism by removing contentious documents in favor of indoctrination to a White, neoliberal narrative in required instruction.

Florida applied paternalism to multiple parts of the statutory code, leaving no questions about the intent to control and define the understanding of racism for all Floridians. HB 7 (2022) revised seven different statutes, most of which addressed K-12 education. The notable exceptions were the first two sections of the bill. Section 1 of HB 7 (2022) added concepts to prevent CRT in mandatory employment training to the Civil Rights statute (Title XLIV, 760.10) regarding discrimination in employment practices: “The following concepts constitutes discrimination based on race, color, sex, or national origin under this section” (Florida HB 7, 2022, p. 3). Section 2 added the same concepts to the education code regarding student and employee discrimination in K-20<sup>4</sup> schools (Title XLVIII, Chapter 1000, Section 05). Florida used civil

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<sup>4</sup> K-20 schools refer to the public, state educational institutions, including colleges and universities.

rights and non-discrimination framing to stop challenges to the sociopolitical status quo as reverse racism. Consequently, the power to define civil rights and nondiscrimination in civil rights ignored the experiences of People of color. Florida's legislature paternalistically used statutory power to force businesses and all educational institutions to comply with the protection of white perspectives.

As mentioned previously, the protection of whiteness in HB 7 (2022) targeted K-12 education. The most significant impact is on required instruction, also in the education code (Title XLVIII, 1003.42). Required instruction now had to comply with similar concepts to Sections 1 and 2 of the bills that limited the influence of CRT. Here, the power to define the standards of required instruction impacted what students learned. Within HB 7 (2022), legislators defined the "history of Americans of the African diaspora" with the goal that "students shall develop an understanding of the ramifications of prejudice, racism, and stereotyping on individual freedoms, and examine what it means to be a responsible and respectful person" (p. 15). The implied message was that there is one-right-way to understand racism (Okun, 2021). Moreover, the responsibility of unity was on Black persons, so a critique of the status quo was divisive (Florida HB 7, 2022, p. 16). Therefore, the legislature defined even the history of African Americans without considering other viewpoints, in a clear example of paternalism.

In addition to African American history, HB 7 (2022) enumerated "fundamental truth . . . and principles of individual freedom" (p. 21) that contain the limitations on race talk, influenced by CRT. The required instruction statute (1003.42) contained concepts that countered a CRT analysis. These concepts, like Iowa and Texas, controlled how race and racism could be taught by prohibiting that "classroom instruction and curriculum may not be used to indoctrinate or persuade students to a particular point of view" (Florida HB 7, 2022, p. 22). Not only did this

disregard the viewpoints that were not mainstream White perceptions, but they intimidated teachers from teaching alternative perspectives (Rozsa, 2022). Similarly, Section 4 amended Statute 1006.31, Duties of the Department of Education and school district instructional material reviewers, with the same list of concepts in Statute 1003.42, Required Instruction.

Additionally, instructional material reviewers “may not recommend any instructional materials that contain any matter reflecting unfairly coupons persons because of their race, color, creed, national origin, ancestry, gender, religion, disability, socioeconomic status or occupation” (Florida HB 7, 2022, p. 23). This rule placed reviewers under the same obligations to paternalism as teachers. Furthermore, professional development for K-20 instructors (Florida HB 7, 2022, Section 5; Statute 1012.98 School Community Professional Development Act) also had to meet the CRT-related concepts in Statute 1003.42. This internalization of standards that the Florida legislature set underscored paternalism at work and centered whiteness and white understanding in the education code.

Using legislation to reinforce a white culture in education illustrates the legislative context of control. Iowa and Texas, in 2021, urgently pushed through legislation that responded to CRT critiques of social systems to protect white feelings and narratives, noted by the defined concepts within the bill text. While Florida’s law occurred a year later, the bill reflected a disregard for calls for social justice and an urgent desire for the power to control standards, like Iowa and Texas (Okun, 2021). The statutory codes used by Iowa, Texas, and Florida indicated differences in implementation and enforcement, but all codes were paternalistic. The entitlement to define standards according to white culture narratives and norms, without consideration of other perspectives, reflects Okun’s (2021) WSC.

Additionally, the legislatures controlled the decision-making process and forced acquiescence on others (i.e., directors, teachers, reviewers) without regard to other viewpoints. The consequence for not complying with the statutory changes could be termination or a lawsuit. In this way, all three bills represented the power of legislators to control others according to political concerns rather than actual policy problems.

### **Finding 2: Naming of Racism**

The naming of *racism* in this finding refers to recognizing and acknowledging past and present racial policies and customs against People of color. The legislation from Iowa, Texas, and Florida equated the lived experiences of White people with People of color without regard to social, political, and economic forces that maintain inequity. This way, the naming of racism as it has existed over the past 250 years was minimized. This denial occurred most prominently in the bill's language, specifically with terms like *stereotyping*, *scapegoating*, and *meritocracy*. This finding is most relevant to the CRT-related concepts in each bill that directly affected K-12 educational statutes. The fact that the language was identical, or nearly so, implies a shared concern about a loss of power and privilege by White people. This section examines how the language used stereotyping, scapegoating, and meritocracy to protect whiteness. According to Okun's (2021) WSC framework, naming racism in these bills reflects objectivity, perfectionism, the right to comfort, and individualism.

### ***Language***

All three bills framed the concepts that limit CRT as civil rights protection by emphasizing equality. For example, Iowa repudiated claims of injustice with the statement, "That the United States of America and the state of Iowa are fundamentally or systemically racist or sexist" (Iowa HF 802, Section 2, 2021, p. 3). This statement rejected any assessment of systemic

racism as objectively false. For added emphasis, Florida began its list of restricted concepts for required instruction with the statement, “The Legislature acknowledges the fundamental truth that all persons are equal before the law and have inalienable rights” (Florida HB 7, 2022, p. 21).

Florida also named objectivity in the amendment to the civil rights statute:

Such virtues as . . . neutrality, objectivity, and racial colorblindness are [not] racist . . . or created by members of a particular race, color, national origin, or sex to oppress members of another race, color, national origin, or sex. (Florida HB 7, 2022, p. 11)

In framing the restrictions as protection of freedom and rights, the language positioned the limits as neutral. Additionally, all three bills state—in identical language—that no one “race is inherently superior to another race” (Florida HB 7, 2022, p. 21; Iowa HF 802, Section 2, 2021, p. 3; Texas HB 3979, 2021, p. 5). This statement applied a universal truth (equality) to a list of concepts that were not objective or neutral in their intent to preserve whiteness. The refusal to reflect on the status quo or systemic racism ignored the manifestations of racism since the Civil Rights Movement of the mid-20th century. That claim of objectivity influenced the list of CRT-related concepts, thereby including White people as another racial category.

**Stereotyping.** With this objective framing, the bills used terms that typically apply to discrimination against People of color to add White people as an oppressed group. The resulting framework was that the current social systems were perfect as they were and attempts to change them represented reverse racism against White people. The term used most in the bills was *stereotyping*. However, only Iowa clearly defined it as “ascribing character traits, values, moral and ethical codes, privileges, status, or beliefs to a race or sex, or an individual because of the individual’s race or sex” (Iowa HF 802, Section 2, 2021, p. 3). The use of *privilege* and *status* indicated that stereotyping includes whiteness, with White people being victims of stereotyping.

This definition assumes the current system is perfect and reflection on the failures or weaknesses of the status quo is unnecessary (Okun, 2021). Florida did not provide an explicit definition of stereotyping. Still, the bill stated that “a person, by virtue of his or her race, color, national origin, or sex, should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion” (Florida HB 7, 2022, p. 10). Diversity, equity, and inclusion efforts were equal to stereotyping in this framing. The framing of diversity, equity, or inclusion represented an unnamed protection for White identities because the history of racism is dismissed. Iowa and Florida asserted in the legislative language that there was nothing wrong with social systems as they were, which meant Okun’s (2021) description of perfectionism.

Further application of perfectionism appeared in all three bills. Perfectionism appeared in the rejection that a person or individual by their race or sex “is inherently racist, sexist, or oppressive, whether consciously or unconsciously” (Florida HB 7, 2022, pp. 10, 21; Iowa HF 802, Section 2, 2021, p. 3; Texas HB 3979, 2022, p. 5). The wording equated to an overall rejection of individual racism within society. In this way, systemic and individual racism does not affect how all persons move through perfect social systems. Nevertheless, the bills contradicted that statement with “No person [or individual] should be discriminated against or receive adverse treatment solely or partly based on race, color, national origin, religion, disability, or sex” (Florida HB 7, 2022, p. 21; Iowa HF 802, Section 2, 2021, p. 3; Texas HB 3979, 2021, p. 5). If inherent racism does not exist, the need to protect individuals from discrimination is moot. Furthermore, each state situated adverse treatment within education statutes. Problematically, adverse treatment was not defined but connected with discrimination. In education, this suggested that using race in determining programming, admission, or qualification might negatively affect students, implying that White students face racial



stereotyping and discrimination. This logical inconsistency also pointed to a lack of objectivity and the belief that change was unnecessary. In this way, the language of stereotyping exists to preserve an oppressive power structure that controls what racism is and is not (Okun, 2021).

**Scapegoating.** Setting the definition of racism to protect White individuals connects to another concept of Okun's (2021) framework: the right to comfort. In the right to comfort, those groups of people in power have a right to protection from psychological discomfort in addressing racism. Additionally, rather than naming racism, those who critique the status quo are framed as stereotyping and discriminating. Iowa is the only state that provided an explicit definition where scapegoating

means assigning fault, blame, or bias to a race or sex, or members of a race or sex

because of the race or sex, or claiming that, consciously or unconsciously, and by virtue

of person' race of sex, members of any race are inherently racist or inherently inclined to oppress others. (Iowa HF 802, Section 2, 2021, p. 3)

Texas succinctly used the term *blame* to indicate the same understanding (Texas HB 3979, 2021, p. 5). This phrasing indicated a sensitivity to social justice critiques that point to systemic racism and a goal of dismissing racism.

All three states specifically incorporated the right to comfort in two concepts within the bills. First is the idea that an individual or person "by virtue of the individual's race or sex, bears responsibility for actions committed in the past by other members of the same race or sex" (Iowa HF 802, Section 2, 2021, p. 3; Texas HB 7, 2021, p. 5; see also Florida HB 7, 2022, p. 21).

Undoubtedly, this statement referred to the institutions of slavery and segregation that oppressed Black people. For Texas, this is particularly relevant since HB 3979 (2021) influenced social studies and history standards, although Florida also addressed history instruction. Regardless of

which bill, this text denied a collective, national responsibility. Okun (2021) explained such perspectives as a claim to innocence when faced with the connections between historical racism and systemic racism. Florida further rejected responsibility by including the limitation in the employment practices section (Section 1, Statute 760.10) and nondiscrimination in the K-20 education section (Section 2, Statute 1000.05). For Florida, the right to comfort existed in employment and education. All three states specifically incorporated the right to comfort in two concepts within the bills. First is the idea that an individual or person “by virtue of the individual’s race or sex, bears responsibility for actions committed in the past by other members of the same race or sex” (Iowa HF 802, Section 2, 2021, p. 3; Texas HB 7, 2021, p. 5; see also Florida HB 7, 2022, p. 21). Undoubtedly, this statement referred to the institutions of slavery and segregation that oppressed Black people.

Indeed, the limited concern about racism extended only to people who might “feel discomfort, guilt, anguish, or any other form of psychological distress on account of that individual’s race or sex” (Iowa HF 802, Section 2, 2021, p. 3; Texas HB 3979, 2021, p. 5). Florida combined psychological distress with a restatement of not being responsible (Florida HB 7, 2022, pp. 10, 21). The attempt to hide the history of slavery and segregation regards the right to comfort as more important than addressing racism and its consequences. A contradiction exists: if one is not responsible for racism, why be concerned with discomfort or guilt? Furthermore, terms like *anguish*, *guilt*, *distress*, and *discomfort* are left open to individual interpretation, which makes United States history vulnerable to whitewashing in the pursuit of comfort. At the very least, whitewashing ignores the United States’ collective history and, at the very worst, puts forth a white narrative that reinforces the dominant white culture. Either way, the right to comfort silences any effort to understand and resolve racism.

**Meritocracy.** Each bill offered meritocracy as a solution to resolve inequity and injustice. Meritocracy is a word that reflects objectivity in that merit, effort, and choices get economic and social rewards (Bonilla-Silva, 2003). However, educational attainment and generational wealth have indicated that meritocracy is not neutral and objective (Mijs, 2016). Meritocracy exists within the social-cultural capital exchange that operates underneath all opportunities and perpetuates the idea of individualism. Okun (2021) explained that individualism is the belief that each person succeeds or fails independently without support. Individualism provides an excuse for inequality without acknowledging systemic forces. The term meritocracy in these bills did not name racism and instead shifted the focus to individual choices. Interestingly, this focus contradicted the collective protections for the dominant White society and culture noted above with stereotyping and scapegoating. The inclusion of meritocracy underscored a rejection of responsibility for racism and blamed oppressed groups for failing in the [White] American Dream of prosperity.

Iowa and Texas used identical wording about meritocracy: “That meritocracy or traits such as a hard work ethic are [not] racist or sexist, or were created by a particular race to oppress another race” (Iowa HF 802, Section 2, 2021, p. 4; Texas HB 3979, 2021, p. 5). The concern about oppression showed Okun’s (2021) critique of individualism in the dominant group identity, in this case, a White identity, which shapes norms and behavior. The frame of power in this statement is that power was earned rather than acquired through decades of policy. Such a frame rejects CRT analysis but mainly aims to protect K-12 education from suggestions that inequity is inherent to the system.

Florida’s HB 7 (Section 1, Statute 760.10; Section 2, Statute 1000.05, 2022) incorporated the same terms and concerns but used language to reinforce a narrative based on reverse racism

against whiteness and the belief in the perfection of the United States. As mentioned, the sections of HB 7 (2022) that addressed civil rights in employment practices and K-20 discrimination included the values of “merit, excellence, hard work, [and] fairness” (Florida HB 7, 2022, p. 11) as neutral and not oppressive. This framing occurred under required instruction (Section 3, Statute 1003.42): “Meritocracy or traits such as a hard work ethic are not racist but fundamental to the right to pursue happiness and be rewarded for industry” (Florida HB 7, 2022, p. 21). Florida explicitly claimed that meritocracy is not racist and attached it to foundational principles of the United States. This framing extends individualism from denying systemic forces to defining racism (Okun, 2021). It also rejects efforts to resolve racism put forward by CRT. The emphasis on protecting competition and the lack of accountability for outcomes demonstrates a limited view of equality since there is no collective responsibility. While Florida broadened the use, all three states framed meritocracy as a positive feature in a society dominated by White identities and shaped by anti-Black racism.

The assumption that people in the United States share common beliefs about how social and economic forces work reveals the influence of Okun’s (2021) WSC. Iowa, Texas, and Florida controlled how racism was named and understood in their legislation. In this finding, the naming of racism refers to recognizing and acknowledging past and present racial policies and customs against People of color. The use of language implied that the bills were objective and neutral when the text pointed to reactionary concerns about applying CRT to a supposedly perfect system. Stereotyping in these bills further protected the system by labeling criticism as a form of discrimination without recognizing how racism functions. Using terms such as scapegoating, blame, and responsibility denied the legacy of racism in education and society. Meritocracy offered a reason for success and failure but was explained as not racist or

oppressive, which ignored the links to the dominant White culture. By stifling how racism is named, these bills silenced racial justice.

### **Finding 3: Delivery of Race-Related Content**

The last finding of this study is that Iowa, Texas, and Florida framed their educational statutes by focusing on the delivery of race-related content. In this finding, *content delivery methods* mean curriculum and instruction about the history of racism and race-related sociopolitical questions about justice and equity. Nondiscrimination is a core element, although the previous findings showed that the text prohibited examining systemic racism and whiteness. A concern about civic education also appeared, especially in Texas and Florida. This finding reveals how Okun's (2021) WSC controls race-related content in education as a response to criticism. This concern appeared in the legislation through discrimination, the curricula requirements, the inclusion of civic education, and requirements on instruction.

#### ***Discrimination***

The term and concept of *discrimination*, specifically the prevention of it, appears in the legislation from Iowa, Texas, and Florida beyond the connection of stereotyping. As previously mentioned, stereotyping includes White people as a group affected by racial stereotyping. In that framing, the term stereotyping responded precisely to CRT analysis and sought to restrict CRT in education and employment in the case of Iowa and Florida. Nevertheless, discrimination also appeared concerning the delivery of race-related content in each bill. In this discrimination usage, the framing is defensive (Okun, 2021). By claiming to prevent discrimination, the bills have hidden beneath the cover of antiracism. Furthermore, these bills ignored manifestations of racism in policy and rejected analyses that challenged the status quo. The degree to which discrimination appeared in each text depends on the legislative context of the bill. Regardless of

the context, these bills used the concept of (anti)discrimination to protect power, including these CRT-related bills, from critique.

Iowa's HF 802 (2021) created new statutes to prohibit CRT influence and analysis in (a) training by government agencies, (b) training, curriculum, and diversity efforts in higher education, and (c) training, curriculum, and diversity efforts in K-12 schools. In each section, discrimination was framed the same way and specifically mentioned political ideology as a protected trait: Government entities, higher education institutions, and school districts' "diversity and inclusion efforts shall discourage [students or employees of the institution] from discrimination against another by political ideology or any characteristic protected under the federal Civil Rights Act of 1964" (HF 802, Section 3, 2021, p. 6). Okun (2021) explained that defensiveness portrays any effort to question those in power and sociocultural racism as threatening and acts to reassure those being questioned. Not only did this framing defend the legislation as an antiracist bill, but the inclusion of political ideology existed to comfort people who deny and dismiss racism. The bill also claimed that it was not to

inhibit or violate the first amendment rights of students or faculty or undermine [the entity's] duty to protect intellectual freedom and free expression to the fullest degree. The intellectual vitality of [students, faculty, trainers, and employees] shall not be infringed.

(Iowa HF 802, Section 3, 2021, p. 6)

However, following this text was the caveat that efforts to promote diversity and inclusion must be consistent with the enumerated, defined concepts connected to stereotyping, scapegoating, and meritocracy (HF 802, Section 3, 2021, p. 6). As a result, the bill sought to prevent uncomfortable ideas while claiming to promote fair and objective treatment (Okun, 2021).

Texas followed the same defensive approach in HB 3979 (2021), but the narrow context of social studies standards applied (anti)discrimination only to students. The placement after the list of CRT-related concepts defended the bill from accusations of controlling students even though the bill aimed to control the delivery of race-related content. The word discrimination is not used, but the text implies it:

A school district or open-enrollment charter school may not implement, interpret, or enforce any rules or student code of conduct in a manner that would result in the punishment of a student for discussing or have a chilling effect on student discussion of, the concepts described by subsection (h-3)(4). (Texas, HB 3979, 2021, p. 6)

This framing defensively portrayed the bill as not silencing individuals, even as the concepts of stereotyping, scapegoating, and meritocracy constrained how instruction discusses race. This limitation effectively censored any analysis of how racism currently exists and left students to navigate race-related content on their own in the name of defending the status quo of power (Okun, 2021).

In contrast, Florida's HB 7 (Statute 1000.05, 2022) amended the statutes related to discrimination against students and employees in K-20 public education. The amendment focused on changing the words *ethnicity* and *gender*. The new language stated, "Discrimination on the basis of race, color, national origin, sex, disability, religion, or marital status against a student or an employee in the state system of public K-20 education is prohibited" (Florida HB 7, 2022, p. 5). Changing the language to *color* from *ethnicity* implied that White, along with Black or Hispanic, was just another category. In framing discrimination as color-based, this statute change created an oppressive environment that inhibited speaking truth to power dominated by whiteness (Okun, 2021). This language change impacted employment, admission,

and participation, effectively negating diversity efforts, affirmative action, and equal opportunity through legislation. In this way, discrimination was used defensively to maintain White social structures.

Additional evidence that discrimination has been weaponized to protect whiteness is the introduction to CRT-related concepts:

It shall constitute discrimination based on race, color, national origin, or sex under this section to subject any student or employee to training or instruction that espouses, promotes, advances inculcates, or compels such student or employee to believe any of the following concepts” (Florida HB 7, 2022, pp. 9–10).

The concepts limited the naming of racism, so the framing meant that discussing racism equated to discrimination. Unlike Iowa and Texas, which used (anti)discrimination to defend the bills and the powers that made them from direct accusations, Florida used discrimination as a threat to silence other viewpoints (Okun, 2021). In all three bills, the discomfort with racism, especially identifying its dominant facet of society, skewed the meaning of discrimination to preserve whiteness.

### ***Curriculum***

In education, curricula are crucial components of what students learn. Education policy dictates curricula, although at different levels of decision-making, such as state or local agencies. The CRT-related bills mentioned curriculum in an effort for top-down control, although the legislative context influenced how the bill affected curricula. The result impacted the delivery of race-related content through a curriculum that prioritized the founding documents of the United States. Okun (2021) described this as the worship of the written word, a “cultural habit of honoring only what is written and only what is written to a narrow standard” (p. 17), with that



standard defined by whiteness. Since the history of leadership in the United States is predominantly White, White passing, and wealthy, the curricula standard serves a generational hierarchy founded in racism (Okun, 2021). In this way, curricula control the delivery of race-related content, especially in Texas and Florida, where the bills have amended required instruction statutes.

The context of Texas's HB 3979 (2021) was social studies standards, which then determined what was or was not included in the curriculum. HB 3979 (2021) impacted the curriculum by prioritizing written documents. For example, "the founding documents of the United States, including the Declaration of Independence, the United States Constitution, the Federalist Papers, the transcript of the first Lincoln-Douglas debate," are enumerated (Texas HB 3979, 2021, p. 2). Throughout Section 1, the bill listed numerous documents as primary sources to be included in the curriculum. In this list, the majority of specified documents were legal documents written by White men, such as the Fugitive Slave Acts of 1793 and 1850 or the Civil Rights Act of 1964. The selection of documents represents what Okun (2021) described as writings that reinforce power or present the White response to more significant historical events. Even the documents that question slavery and racism, such as William Still's Underground Railroad Records, highlighted the actions of White people (Texas HB 3979, 2021). The only documents specified by Persons of Color were Martin Luther King Jr.'s "I Have a Dream" speech and the Letter From a Birmingham Jail. These choices represent what Okun (2021) described as valuing writing and communication skills that appeal to the dominant culture. This worship of the written word conforms to a White standard even when it seeks to present different viewpoints.

In HB 3979 (2021), different viewpoints were generally referred to as “historical documents related to the civic accomplishments of marginalized populations” (Texas HB 3979, 2021, p. 2). The lack of specificity regarding the stories of People of Color communicated a superficial intent to include diverse perspectives without enumerating what documents presented a complete picture of the history of racism in the United States (Okun, 2021). Furthermore, some perspectives about the United States were not written down, disregarding other forms of knowledge. This disregard is particularly relevant to Native American history, migrant farm workers, and Black women’s suffrage, where original documents were more challenging to locate or were filtered through another person (Texas HB 3979, 2021). The list of *marginalized populations* did not include Asian Americans or immigrants, demonstrating that the bill’s curriculum content did not present multiple perspectives. Instead, it “claim[ed] ‘ownership’ of (written) knowledge to meet ego needs” (Okun, 2021, p. 19) rather than addressing the social studies knowledge of students.

Reinforcing this superficiality is the list of topics and documents for a curriculum that needs coherence and sometimes contradicts each other. The curriculum requirements got even more specific within the CRT-related concepts:

The advent of slavery in the territory that is now the United States constituted the true founding of the United States; or With respect to their relationship to American values, slavery, and racism are anything other than deviations from, betrayals of, or failures to live up to, the authentic founding principles of the United States, which include liberty and equality; and Require an understanding of The 1619 Project. (Texas HB 3979, 2021, p. 6)

First, the text implied worship of the written word by referring to the founding principles in the Declaration of Independence and The Constitution. These documents reflected systemic racism in the form of slavery from the 18th century, but the text denied that slavery influenced the founding of the United States. Second, the assertion that slavery and racism were deviations contradicted the contending perspectives in the list of topics and documents from Section 1. Lastly, the prohibition of *The 1619 Project* revealed the objective of HB 3979 (2021): silence the discussion of systemic racism through incomplete and incoherent documents that are not connected to a complete narrative of the United States. Through this framing, Texas owns what knowledge matters and limits the input from People of color (Okun, 2021).

Florida used both an enumerated list of concepts and specific curricula initiatives. In Section 3 of HB 7 (2022), the required instruction incorporated founding documents and principles. For example, the curriculum must address

the history and content of the Declaration of Independence, including national sovereignty, natural law, self-evident truth, equality of all persons, limited government, popular sovereignty, and inalienable rights of life, liberty, and property, and how they form the philosophical foundation of our government. (Florida HB 7, 2022, p. 13).

In addition, the text included the Constitution, the Bill of Rights, the Federalist Papers, flag education, and elements of government, but without context as to what grade level or discipline. Nor are those documents placed within civic education, another bill component. The implied curriculum is social studies because of the references to United States history. The revealing text was that

American history shall be viewed as factual, not as constructed, shall be viewed as knowable, teachable, and testable, and shall be defined as the creation of a new nation

based largely on the universal principles stated in the Declaration of Independence.

(Florida HB 7, 2022, p. 14)

This demonstrates “how white supremacy culture requires things to be written down on its own terms in order to preserve power” (Okun, 2021, p. 17). The truth that these written documents leave out the perspectives of People of Color reinforces White perspectives, even when adding new curriculum in HB 7 (2022).

Florida’s bill included specific curriculum initiatives, such as Holocaust and African American history. In this analysis, the African American history initiative reflects WSC. African American history was addressed and delegated to the Florida African American History Task Force (Florida HB 7, 2022, pp. 15–16). As a result, the source for African American history emanated from the political environment rather than the goals of the Black community. Here, the legislative’s dominant powers controlled Black history to serve the White narrative (Okun, 2021). For example, the text of HB 7 (2022) identified for the course “the history of African peoples before the political conflicts that led to the development of slavery” (p. 15). This phrase obscured many other factors about the development of slavery. Even more controlling was the text requiring that students understand individual freedoms and “what it means to be a responsible and respectful person” (p. 15) for a tolerant, democratic society. This legislated African American history focused on Black Americans who promoted unity and “prospered, even in the most difficult circumstances” (p. 15). Such an idea denies the truth of civil rights history, where disruption was a critical leverage.

Another curriculum area to promote unity was the Stories of Inspiration curriculum created in HB 7 (2022). The intent of HB 7 (2022) was a curriculum “to inspire future generations through motivating stories of American history that demonstrate important life skills

and the principles of individual freedom that enabled persons to prosper even in the most difficult circumstances” (p. 22). These guidelines were biased toward written documentation, likely from a White perspective, ignoring stories that do not conform (Okun, 2021). These parameters reinforced the idea of White knowledge as the only way to deliver race-related content.

Florida used Section 4 of HB 7 (2022) to control the curricula through the duties of instructional material reviewers. Unlike Texas’s attempt to define the documents for curriculum, Florida mandated that reviewers

may not recommend any instructional materials that contain any matter reflecting unfairly upon persons because of the race, color, creed, national origin, ancestry, gender, religion, disability, socioeconomic status, or occupation or otherwise contradict the principles enumerated under s. 1003.42 (3) [CRT-related concepts]. (Florida HB 7, 2022, p. 23)

Objectivity was also a requirement for reviewers. Not only did this text limit the naming of racism, but it also promoted written knowledge from the White perspective (Okun, 2021).

In contrast, Iowa did not focus on curricula content. Iowa only mentioned that HF 802 (2021) was not meant to “prohibit the use of curriculum that teaches the topics of sexism, slavery, racial oppression, racial segregation, or racial discrimination, including the enactment and enforcement of laws” (p. 6). This text does not mean Iowa was not controlling race-related content through the naming of racism but that Iowa took a narrower legislative approach than Texas or Florida.

Setting requirements and standards at the legislative level controls curricula. These standards reflected White knowledge by prioritizing written documents, especially founding

documents. Even when written documents were not specified or were meant to include other perspectives, the paradigm of founding principles is a White hegemony on knowledge. Okun (2021) explained that “the more we can count on legally written words to protect [White] interests” (p. 18), the more control there is over what written documents will be used. That framework points to the analysis that worshipping the written word was used to limit the delivery of race-related content, especially in Texas and Florida.

### ***Civic Education***

Like the curriculum guidelines, Texas and Florida mentioned civics and civic education. (Iowa’s HF 802 did not use the word *civic*; therefore, Iowa is not in this subtheme.) The focus on civic education reflected Okun’s (2021) fear of conflict, a belief that the status quo is rational and perfect while open debate or critique is incorrect or radical. The fear of conflict relates to worshipping the written word because civic knowledge is connected to founding documents and principles. The fear of conflict resonated in the bills from Texas and Florida because the timing of the legislation was a reaction to the protests and public conversations about racism since the summer of 2020. However, the mention of civics in the Texas and Florida bills was framed differently.

Texas referenced civic knowledge in HB 3979 (2021) because it updated the social studies curriculum, which explicitly addressed the development of civics. Texas’s bill stated:

The State Board of Education shall adopt essential knowledge and skills that develop each student’s civic knowledge, including an understanding of (1)the fundamental moral, political, and intellectual foundations of the American experiment in self-government; (2) the history, qualities, traditions, and features of civic engagement in the United States . .

.; (4) the structure, function, and processes of government institutions at the federal, state, and local levels. (Texas HB 3979, 2021, p. 1)

These civic concepts were left mainly undefined and open to interpretation. This text set expectations for civics in that it should be based on founding principles like democracy and individualism. In this way, the fear of conflict relied upon Okun's (2021) traits of perfectionism, the written word, and individualism; questioning the foundation of the United States was not permitted. By reinforcing how civic engagement happens, the goal was to restrict acceptable methods of protest or disagreement to make those in power comfortable (Okun, 2021). HB 3979 (2021) even prohibited courses from encouraging

political activism, lobbying, or efforts to persuade members of the legislative or executive branch at the federal, state, or local level to take specific actions by direct communication; or participation in any internship, practicum, or similar activity involving social or public policy advocacy. (p. 4)

That text implied a civic understanding to support supposedly neutral systems that are not accessible and fair to all persons (Okun, 2021). While an analysis through the WSC framework explains how HB 3979 (2021) sought to control civic education, the Texas Legislature wanted civics to be more defined. This control occurred in SB 3 (2021) during the special session expanding civic education requirements. The addendum of the new legislation concluded that HB 3979 (2021) needed to meet concerns about conflict among some Texas lawmakers.

Florida's HB 7 (2022) did include specifics about civic education, which occurred after the Texas bill. Florida incorporated civic knowledge by requiring "knowledge and skills to develop each student's civic knowledge" (Florida HB 7, 2022, p. 1). Florida's HB 7 (2022) updated required instruction (Statute 1003.42) to revise civic and character education. The text

paternalistically defined *civic knowledge* as “the qualities and responsibilities of patriotism and citizenship, including kindness; respect for authority, life, liberty, and personal property; honesty; charity; racial, ethnic, and religious tolerance; and cooperation” (p. 19). Of particular note were the phrases “respect for authority,” “respect for personal property,” and “cooperation” (p. 19). Okun (2021) described this as “emphasis or insistence on being polite; setting the rules for how ideas or information or differences of opinion need to be shared” (p. 26). This framing of respect and cooperation rejects protest as a means of civic participation. Beyond that definition, the Congressional Medal of Honor recipients were a feature of civic and character education to instill “patriotism, and the sacrifices that veterans and Medal of Honor recipients have made in serving our country and protecting democratic values worldwide” (Florida HB 7, 2022, p. 20). The result was the unstated message that there is a right way to express a belief in the United States, and that is sacrifice and hard work. That message ignored how protests and activism promoted change and reinforced the ideas of meritocracy, politeness, and a fear of open conflict. In the Texas and Florida bills, civic and character curricula had to align with the listed CRT-related concepts that restrict the naming of racism. Additionally, Texas and Florida added expectations to civic education by rejecting conflict over race and racism. The implication is to frame protests and activism as un-American to prevent open conflict.

### ***Instruction***

*Instruction* refers to how a teacher (or trainer or professor) engages students with the curriculum. Control of instruction is the last element in the delivery of race-related content. Nevertheless, instruction guidelines represented only a small part of each bill. The instruction guidelines indicated who is responsible for following the CRT-related concepts and delivering race-related content. In each state, the instruction guidelines indicated what Okun (2021) named



the one-right-way trait. A one-right-way approach controls instruction by emphasizing that there is a singular way and requiring compliance. It also frames any other methods as need to be revised. While Iowa, Texas, and Florida differed in their instruction guidelines, they all sought to control instruction in a one-right way.

Iowa directed instruction control to government training, higher education, and K-12 schools, using nearly identical language. What set Iowa's bill apart was that the persons responsible for compliance with the CRT-related defined concepts were organizational leaders, i.e., agency heads, deans, and superintendents. In each case, the leader had to

ensure that any mandatory staff or student training provided by an employee of the institution or by a contractor hired by the institution does not teach, advocate, act upon, or promote specifically defined concepts [related to CRT, stereotyping, scapegoating, prejudice]. (Iowa HF 802, 2021, p. 4)

This text controlled instruction by requiring adherence to CRT-related concepts, although consequences for not using the one-right-way did not overtly affect instructors. The text also stated that people delivering race-related content could respond to participant questions about specifically defined concepts and that a discussion of those concepts within a "larger course of academic instruction" (Iowa HF 802, 2021, pp. 5–6) was allowed. This caveat provided instructors with latitude regarding the one-right way of instruction. However, the instruction guidelines raised questions about the efficacy of implementation for HF 802 (2021).

Texas placed its instruction guidelines in a separate section that included CRT-related concepts. Teachers were held directly responsible for teaching the right way, although there was implied control for principals and superintendents. HB 3979 (2021) stated that "a teacher may not be compelled to discuss a particular current event or widely debated and currently a

controversial issue of public policy or social affairs” (p. 4), which seemed to protect teachers uncomfortable with racism. The unstated element was who can compel teachers? This unclear directive created a point of contention about how to teach social studies between teachers and their supervisors. Teachers had to follow the one-right way for social studies instruction and be responsible for navigating controversial issues from multiple perspectives. The text specified that “a teacher who chooses to discuss [controversial] topic shall, to the best of the teacher’s ability, strive to explore the topic from diverse and contending perspectives without giving deference to any one perspective” (Texas HB 3979, 2021, p. 4. Not only did this support objectivity about racism, but objectivity was framed as the one-right way. The bill also restricted any instruction using active social or policy advocacy participation, including letter writing to members of government. Later, SB 3 (2021) permitted writing letters although keeping the prohibition on activism. Attached to the guidelines on instruction was the list of CRT-related concepts that restricted the naming of racism. The implication is that race-related content does not fit into the right way of social studies instruction, thereby reinforcing WSC (Okun, 2021).

Florida influenced instruction in a contradictory and confusing way that asserted “value in [White] beliefs...[and] are determined to ‘convert’” (Okun, 2021, p. 9) others to what the legislature deemed the right way of instruction. The text of HB 7 (2022) stated that

instructional personnel may facilitate discussions and use curricula to address, in an age-appropriate manner, how the freedoms of persons have been infringed by sexism, slavery, racial oppression, racial segregation, and racial discrimination . . . including how recognition of these freedoms [CRT-related concepts] have overturned these unjust laws. (pp. 21–22)

This implied that discussion of racism was permitted, yet the direct reference to the CRT-related concepts, the “principles of individual freedom” (Florida HB 7, 2022, p. 21), limited instruction. To further limit instruction and hold teachers accountable, HB 7 (2022) stated that “classroom instruction and curriculum may not be used to indoctrinate or persuade students to a particular point of view inconsistent with the principles of this subsection [CRT-related concepts] or state academic standards” (p. 22). In this text, Florida admitted to one-right-way to instruct on racism. Any other approach was labeled indoctrination, demonstrating the WSC goal of HB 7 (2022) and how race-related content was to be delivered.

In all three states, instruction further controlled the delivery of race-related content. The idea of one-right-way underscored the defensiveness, focus on the written word and fear of open conflict evident in how classrooms addressed race and racism. There were differences in wording, but each instructional guideline reinforced Okun’s (2021) WSC. When viewed in the desire to define discrimination and control curricula, the limitations placed on instructors have created a chilling effect that erases racism from educational institutions.

### **Conclusion**

The research question driving this CPA addressed how educational policies related to CRT are framed in state documents from Iowa, Texas, and Florida. Specifically, the study examined the following legislation: Iowa’s HF 802 (2021), Texas’s HB 3979 (2021), and Florida’s HB 7 (2022). The analysis applied Okun’s (2021) WSC framework to understand the legislation’s hidden meanings. Three findings emerged: (a) the legislative context of control, (b) the limited or absent naming of racism, and (c) the focus on the delivery of race-related content. In addition, each bill repurposed values like equality, freedom, and individualism to hide the

motivations behind their passage. The findings conclude that all three bills aimed to bolster systemic racism by reinforcing white supremacy.

## CHAPTER 5

### DISCUSSION

As a reaction to calls for increased social and racial justice after the racial reckoning of the summer of 2020, many states have proposed and passed educational policies against education related to race, racism, and CRT. Iowa, Texas, and Florida passed legislation during this time as part of the anti-CRT movement. The purpose of this study was to examine how educational school policies related to CRT in Iowa (HF 802, 2021), Texas (HB 3979, 2021), and Florida (HB 7, 2022) were framed in state documents. The research question was: How are educational school policies related to CRT in Texas, Florida, and Iowa framed in state documents? I identified three findings using a CPA methodological approach and Tema Okun's (2021) WSC as a theoretical framework. These findings were (a) the legislative context of control, (b) the naming of racism, and (c) the delivery of race-related content. In this chapter, I discuss the study's findings in relation to the literature. Then, I make future policymaking and research recommendations. Lastly, I conclude with a summary of my final thoughts.

#### Discussion of Findings

The results of this CPA study of race and racism-related legislation during the anti-CRT movement from Iowa, Texas, and Florida reflect the broader educational policy issues of neoliberalism, whiteness, and racism, as discussed in chapter two (Ladson-Billings, 2021; White et al., 2020). CPA uses theory (e.g., WSC) with the methodology to identify and analyze policy origins and processes; explore how policy creates or upholds inequity; and evaluate the reactions of individuals (Young & Diem, 2017). The findings connected to the literature on race-related policy and demonstrate how (un)hidden whiteness affirms the reinscription of systemic racism through these CRT-related policies.

**Finding 1: The Legislative Context of Control**

A legislative context of control framed educational school policies related to CRT in Iowa, Texas, and Florida. Legislation designs and shapes the statutory codes that determine the rules for education; they are a form of control (Gillborn, 2014). In this finding, Iowa, Texas, and Florida legislation controlled the perception of CRT in K-12 education using different statutory methods (i.e., new statutes, amending existing ones). In a representative democracy, this control should consider the voices and concerns of all constituents. However, past education policies failed to include multiple perspectives and relied on White interests to address racial inequity (Mehta, 2013). These bills followed the same pattern of disregard and even oppression. Power structures, such as these state legislatures, define the goals of education as those of efficient economic development and civic training (Morris & Qargha, 2023). Yet, education also exists as a path to fulfillment, engagement, and progressive change. Further, education policy presumes that equal opportunity translates to equity by implementing individualistic programs denying systemic racism (Chitpin & Portelli, 2019). As illustrated in Chapter 4, the legislative efforts in these bills framed individualism as critical to freedom.

Texas, Florida, and Iowa each have legislation that identifies the teaching of race and racism as a threat to equality and freedom by manufacturing a public problem. This finding demonstrated that these states sought to preserve and reinforce whiteness rather than respond to public calls for racial justice. Typically, policy legislation and the statutes created by such legislation intend to solve pressing governance problems. However, a policy only sometimes fits into a rational problem, policy solution, implementation, and evaluation cycle (Stone, 2012). When policy does not fit a straightforward analysis, it becomes a paradox of goals, problems, and solutions where logic does not necessarily apply (Stone, 2012). Stone (2012) explained that a

policy paradox demonstrates that a policy can have two interpretations. In this study, policy from each state represented a paradox of conflicting concerns between equality and white supremacy regarding instruction in K-12 schools, like civic education, foundational principles, and CRT. This finding interpreted how state legislatures acted urgently to address this policy paradox. By attaching these bills to statutes related to diversity (Iowa), social studies standards (Texas), and civil rights (Florida), the goal of white supremacy was hidden. This conclusion was developed from the application of WSC characteristics to the text of HF 802 (2021), HB 3979 (2021), and HB 7 (2022), which showed how these policies aimed to protect systemic racism rather than promote equality and equity.

The policy paradox of CRT-related legislation represents a problem for the communities governed by these statutes (Stone, 2012). Governing bodies of any type carry out the agenda of their community, although there are questions as to which community of people they serve. Stone (2012) explained a political community, where people hold laws and civic expectations, and a cultural community, where features such as history and traditions are shared. The challenge for political communities is that they must incorporate multiple cultural communities. Each state in this study had a governing trifecta, where the same party (Republican) controlled the governorship, the state Senate, and the state House of Representatives that enabled policy development and passage. This finding demonstrated that these CRT-related bills did not reflect the cultural or diverse political community. Unfortunately, these bills impacted the knowledge students were exposed to; in turn, the dismantling of white supremacy has been delayed. Plus, emphasizing respect for authority and civility promotes compliant citizens that do not question who benefits and who loses from governance. These pieces of legislation are gateways for more oppressive policies and policies made out of fear of white supremacy.

As a result, a disregard exists for the views and experiences of communities of color who are also affected by these standards. CRT-related legislation means that education serves white supremacy and white privilege, which manifests in more opportunities for White students. This finding established that these bills served a White agenda where equity gaps may be blamed on individuals rather than the systems shaped by whiteness. In institutional systems like education, where community service exists, whiteness often dominates (e.g., policing). Educational concerns are also vulnerable to fear-mongering because children are involved. However, disregarding Black, Brown, Indigenous, and Asian communities means that Students of color were not considered in defining the standards and creating statutes. This finding was another example of how legislative control harms Students of color (Au & Gourd, 2013; Diem et al., 2019; Giersch, 2018; Wright et al., 2020). This highlights how a weakly defined educational concern drives a political agenda to reform education without identifying the problem or its cause. As a result, the underlying racial hierarchies remain unexamined, only to be perpetuated through cultural policies like CRT-related legislation (Marston, 2021).

State policies like these use the legislative context of objectivity and neutrality to disguise racial hierarchies from federal civil rights guarantees. Similarly, school funding and performance accountability use neutrality and objectivity in ways that create inequity (Diem & Welton, 2021; Leonardo & Grubb, 2019; Wright et al., 2020). This finding demonstrated a continuation of the unwillingness to address racial inequity in education and the maintenance of both overt and covert racism. As a result, control of race content and cultural supremacy through legislative action was reminiscent of Jim Crow-era policies. On the surface, each bill focused on individual freedom and nondiscrimination, with the statutes seeming neutral. However, the language of the bills paternalistically defined racism in a way that benefited White people and those who adopted



the dominant white culture (Okun, 2021). The disregard of historical racism in favor of protected privilege for White people results in a resegregation of society based on socioeconomic and sociocultural positions (Mikulyuk & Braddock, 2018; Rivkin, 2016). Finding one demonstrated that CRT-related legislation aims to preserve whiteness despite its oppressive nature.

### **Finding 2: Naming Racism**

The neutral and objective language used in the CRT-related legislation of Iowa, Texas, and Florida framed racism as preventable and White as just another race. According to Okun (2021), objectivity makes rationality the criteria for decision-making rather than lived experiences. The approach shields White legislators from admitting to power agendas that preserve the status quo. The status quo is a rational choice; any critique or change presents as emotional, illogical, and irrational. Using that framing denies the emotional reaction to CRT: fear and anxiety about losing power or facing responsibility for systems of oppression. Iowa, Texas, and Florida all utilized objectivity to frame their respective bills as unconnected to the emotional zeitgeist of race relations since the murder of George Floyd.

These recent policy efforts indicate a reason to be concerned about the influence of white supremacy in government, which spreads to other areas of governance. White people, especially White males, fear losing power, which appears through the ways stereotyping is prohibited. This framing suggests that whiteness is on the margins of power and opportunity rather than being the dominant culture in the United States (Leonardo & Dixon-Roman, 2019). As a result, there is no reflection on the history of racism, and the fear of reverse racism is framed as perfectly reasonable (DiAngelo, 2018; Okun, 2021). Additionally, the language of stereotyping in Iowa, Texas, and Florida's policies designated White people as potential victims of racism. This finding means that racism is not named or defined for what it is: the experiences of those not

included in whiteness (Gillborn, 2019a; Okun, 2021). These bills implied that White people deal with racial stereotyping equal to those experienced by People of color and ignore the actual stereotyping of Black students in schools (Legrette et al., 2021). Education is built by white supremacy and for White students for whom stereotyping reflects gender and class over race (J. D. Anderson, 1988; Diem & Welton, 2021; Hartman, 2008; Tyack, 2003; Wells, 2014). This finding suggests perfecting racial interactions by ending stereotyping. Such false naivete ignores the structural inequities and racism in educational policy (Annamma et al., 2017; Leonardo & Grubb, 2019; Wells, 2014).

White supremacy claims the power to name what is and is not racism. Each state included nearly identical concepts that make stereotyping and scapegoating racism, while meritocracy and individualism are not. The mention of scapegoating hints at a perceived threat to whiteness and protects White psychological comfort (Diette et al., 2021; Okun, 2021). The result is that questioning the unearned benefits of whiteness, like wealth and cultural capital, is racism rather than maintaining a racial hierarchy (Onwuachi-Willig, 2019; Urban et al., 2019). Texas and Iowa protected whiteness through curriculum regulation. This was especially relevant in efforts to control curriculum or define African American history in Florida. For policymakers in Iowa, Texas, and Florida, the question was how to stop conflict about racism rather than addressing structural racism (Okun, 2021). An apt comparison to the impact of not naming racism is the abandonment of racial change, with ensuing conflict, during Reconstruction that led to the Jim Crow era—failure to address structural racism results in the empowerment of racism. Essentially, White feelings of discomfort in recognizing the truth of history and the lived experiences of Black people trump the discomfort that Students of color face within the K-12

education system (Quinn, 2020). CRT-related policies dismiss a dialogue about systemic racism as unfair, blaming the critique.

The education system rests upon meritocracy as a system of fairness (Bonilla-Silva, 2003; Harvey, 2007; Mijs, 2016). Similar to the work of Wayne Au (2016), through this study, it was clear that the CRT-related legislation claimed to be anti-racist and grounded in civil rights. This redefines antiracism as ignoring racism and being objective, increasing White culture's influence as the norm for K-12 education (Au, 2016). Those who question the claims of antiracism are then portrayed as racists rather than addressing the educational system, as seen in the CRT concepts of each bill. The focus on meritocracy affirms equal opportunity and individualism within the United States system, even though meritocracy disguises cultural racism (Allen & Liou, 2019; Bonilla-Silva, 2003). The dominance of White cultural standards in the CRT-related legislation, including the explicit mention of meritocracy and White historical narratives, demonstrated the cultural racism in the bills. Civil rights guarantees protect those for whom individualism and meritocracy are denied, yet these bills claimed civil rights protections through the concepts that name racism (i.e. meritocracy). These bills reflected anxiety about the White-identity group benefits shrouded in meritocracy that denies whiteness. Therefore, meritocracy is a cipher for white supremacy.

Iowa, Texas, and Florida's CRT-related legislation redefined the meanings of stereotyping, scapegoating, and meritocracy to maintain white superiority. These bills also equated the lived white experience to the experiences of People of color (Leonardo & Dixon-Roman, 2019). Yet, these bills proposed a White definition of fairness that ignored the historical benefits of whiteness. By controlling the naming of racism, the recognition of group identity benefits and problems are repressed by individualism and meritocracy. Systems of oppression

put in place hundreds of years ago to maintain white supremacy remain unexamined. Those who attempt to examine oppressive systems, like education, are presented as the perpetrators of racism. The CRT-related bills provided a legislative justification for reinforcing the racial contract that restricted efforts to promote equity and universal fairness. Thus, the findings from this study support what Leonardo (2015) described as the racial contract in education, where white culture deprives People of color of the recognition of their own culture and cultural intersections. The result is a broken social community where racial knowledge is bifurcated into acceptable and unacceptable.

The legislation in Iowa, Texas, and Florida raised the possibility of de facto racism by appropriating the language of equality and nondiscrimination to hide the reinscription of whiteness in education. This control of naming racism (or not naming it) is not new. During the early 20th century, efforts to revise the history of slavery and the Civil War in textbooks and prohibit the teaching of evolution used similar tactics of state control, civic well-being, and protection of values. This finding underscores that allowing such revisions and control of education produces a new generation ignorant of racism and its trauma (Blinkoff et al., 2022).

### **Finding 3: Delivery of Race-Related Content**

Iowa, Texas, and Florida's policies outlined acceptable delivery of race-related content and what is and are not permitted in classrooms. CRT-related legislation sought to prevent CRT in education, a nonexistent problem, while retrenching a white status quo in the name of neutrality and color evasiveness (Leonardo, 2013). This finding aligns with Leonardo's (2017) assertion that whiteness remains blind to racism. As a result, these bills sought to manage curricula and instruction while asserting nondiscrimination and civic education. The purpose is to magnify white primary sources, such as the Declaration of Independence, that uphold white

narratives. However, these white narratives did not identify how slavery and racism were equally foundational to the United States. In this finding, the magnification of white supremacy culture defensively protects the status quo from critique, and the policies elevate white supremacy as preferred knowledge (Okun, 2021).

Controlling the delivery of race-related content makes whiteness the standard for good education and success (Aggarwal, 2016; D. M. Scott, 1997). Consequently, Black students and other Students of color must assimilate into whiteness. This retrenchment of centuries-old ideas about whiteness equaling positive traits led to cultural assimilation (Fanon, 1952/2008; Kendi, 2017). Differing outcomes point to achievement gaps defined through white cultural assimilation by Black students and other students of color (Diem & Hawkman, 2019). Rather than questioning the white standards, failures become racialized, resulting in academic tracking and disparities in testing and discipline (Au, 2016; Giersch, 2018; Mawene & Bal, 2020; Walker, 2017). These inequities threaten the well-being of Black students and Students of color. The solutions to equity in achievement, like diversity, inclusiveness, and multiculturalism, challenge white standards and create a fear of conflict (James-Gallaway & James-Gallaway, 2022; Kangas & Cook, 2020). Controlling race-related content allows for whiteness to be a supposedly objective measurement of what makes a successful student and good citizen.

This finding explains how defining good citizenship by white standards, and embedding civic education into these bills, is meant to influence political participation and debate about current issues (Ho & Barton, 2020). The goal of civic education in all three states was to emphasize passiveness, not resistance and conflict. The Florida and Texas bills explicitly mentioned civic education, while Iowa implied good citizenship, in which respect and politeness are the acceptable forms of disagreement. However, the unequal and different lived experiences

of People of color were not considered a feature of civic education (Gibson, 2020). Respectful and polite citizenship is passive, ignoring that civic resistance always includes activism, advocacy, and protest. Leonardo and Grubb (2019) supported this understanding by explaining that students interpret their places in the racial order by how white cultural standards define good citizenship.

In this finding, the purpose of K-12 schools is to acculturate students to a set of values and beliefs and assimilate them into institutional processes and systems (Oakes & Lipton, 2003). In these bills, all three states reacted to control race-related content to protect white cultural values and beliefs through educational systems. Yet, historical segregation, continuing discrimination, and educational disparities prove that education is founded on a racial hierarchy. Challenging that hierarchy gets blamed for creating conflict. However, the history of civic engagement and progress in the United States is one of many identity groups' protests and resistance. Specifically, Texas and Florida attempted to minimize those stories by emphasizing respect for authority, civility, and compliance. These policies controlled content rather than holding policymakers accountable for systemic racism. The result is a reaffirmation of cultural racism through civic knowledge (Tatum, 2017).

This discussion of findings highlighted how Iowa, Texas, and Florida legislation reinscribed racism and turned back the metaphorical clock on educational, and racial progress. The power used by state legislatures targets communities without power—Black and Brown students and persons. The statutory power threatens educators, regardless of race or ethnicity, into compliance with a white ideology. The result is the (un)hidden maintenance of neoliberalism and its inherent white privileges.

## **Recommendations**

Based on the findings from this study, I offer several recommendations for educational policymaking, educational research, and educational practice. These salient recommendations offer a counterpoint to the new legislation related to CRT in K-12 and higher education throughout the United States.

### **Policy Recommendations**

First, I recommend that policy actors (e.g., legislators, lobbyists, and advocacy groups) who want to dismantle and oppose structural whiteness and racism need to consider the strategic deployment of whiteness in educational policymaking. Whiteness and white supremacy culture make the learning environment alienating and unsafe for Black people and People of color. Such an environment adds to socioeconomic factors at work, making positive outcomes elusive. Additionally, whiteness does not need to be the one-right-way to move through the world, thereby raising doubts about the goals of educational standards, such as equality.

A recommendation is to mobilize a larger policy community dedicated to race equality and antiracist schools to combat CRT-related legislation and the resurgence of white supremacist education policy. This larger political community includes policy organizations such as the African American Policy Forum, The Aspen Institute, and Brookings. In conjunction with equity and antiracist research from groups such as Boston University's Center for Anti-Racist Research and the University of California at Los Angeles's The Civil Rights Project/Proyecto Derechos Civiles, political and legal pressure can be created. Such efforts can give Communities of Color a say about the impact of these bills. Also, policymakers should consider the history behind institutional systems and how seemingly objective language obscures white supremacy goals. Advocacy groups like The Center for Law and Social Policy should actively seek to counter

efforts by The Heritage Foundation, American Legislative Exchange Council, and Cato Institute by working directly with politicians and entering a larger national conversation about white supremacy in educational policy. This advocacy can expose the policy paradox seen in this study's bills.

Demonstrating the policy paradox of CRT- and race-related bills opens a path to informing citizens, especially White citizens, of the ways these bills reinforce white supremacy and hurt Students of Color. Policy actors must enable a dialogue about race and racism in education to chart a course for new, antiracist policies.

### **Research Recommendations**

My research recommendations are that more studies should be conducted on an intersectional analysis of race-related educational policy (i.e., LGBTQ+ or Black girls). For example, Florida's HB 7 (2022) changed the word gender to *sex*—how does this affect Black transgender students? All three bills included sex along with race, making the potential harm to Black and Brown girls even greater. Additionally, studies on implementing these policies are necessary to identify the outcomes of these race-related legislation. If the stated goal of these policies is to protect students from racism, the experiences of Students of color need to be heard. These policies need further study because similar trends are occurring regarding higher education. Colleges and universities face criticism for race-related instruction, which may lead to restricted curricula and instruction. Researchers must be strategic in dismantling racism and broadening the affected community to build a coalition for change. Researchers should seek to understand how white supremacy culture sacrifices the lives of others to maintain itself and its power.



## **Practice Recommendations**

My recommendations for practice recognize that the CRT- and race-related legislation asks the wrong question about addressing race and racism in curriculum and instruction. Concerns about how to incorporate the United States' racial past and present are valid, but not just from the white perspective. The emotional impact on Students of Color requires consideration. However, not addressing race and racism fails to equip all students with the knowledge to process and understand the world around them. Therefore, my practice recommendation is for improved teacher development, especially for English and Social Studies, on how to teach about race and racism with sensitivity and inclusivity. That effort requires new approaches and curricula that center on what are the best methods to instruct all students.

## **Summary of the Chapter**

The study examined educational school policies related to CRT in Iowa, Texas, and Florida framed in state documents. Using a CPA, the text of the bills demonstrated WSC. The findings show that whiteness and white supremacy frame CRT-related policies even when using race-neutral language. The findings of the legislative context of control, the naming of racism, and the delivery of race-related content support the conclusion of a policy paradox, where the policy does not address a real problem.

The findings added to understanding policies that uphold racism and resist calls for change. The fact that education systems touch all lives to one degree or another highlights the significance of reinforced racism and white supremacy in education. Understanding how racist policy gets disguised as neutral and nondiscriminatory are essential to combatting racism and structural whiteness in education. These findings indicate a failure of rational policymaking due to political agendas. This legislative effort is a policy paradox, where social identity and emotion

overwhelm rational problem-solving and positive governance (Stone, 2012). This CPA of legislation in Iowa, Texas, and Florida determined that these policies uphold racism and white supremacy.

## APPENDIX A

Table 3

*Data Analysis*

| State | Context of Control  | Delivery of Race-Related Content   | Naming of Racism  |
|-------|---|--|---|
| Iowa  | State Sovereignty and Management (Title I), chapter 25A.1                     | p. 3<br>Race and sex scapegoating and stereotyping   | p. 3<br>defined concepts (all)  |
|       | Education and Cultural Affairs (Title VII), chapter 261h.7 and chapter 279.74 | p. 3<br>All defined concepts   | p. 5<br>However, the superintendent of each school district shall ensure that any curriculum or mandatory staff or student training provided by an employee of the school district or by a contractor hired by the school district does not teach, advocate, encourage, promote, or act upon specific stereotyping and scapegoating toward others on the basis of demographic group membership or identity. |
|       |   | p. 6<br>Prohibit the use of curriculum that teaches the topics of sexism, slavery, racial oppression, racial segregation, or racial discrimination, including topics relating to the enactment and enforcement of laws resulting in sexism, racial oppression, segregation, and discrimination | p. 6<br>School district diversity and inclusion efforts shall discourage students of the school district from discriminating against another by political ideology or any characteristic protected under the federal Civil Rights   |

| State | Context of Control  | Delivery of Race-Related Content  | Naming of Racism  |
|-------|---|---|---|
| Texas | <p>Texas Education Code (TEC), 28.002, (h-2), (h-3), (h-4), (h-5)<br/>           Relating to the social studies curriculum in public schools.</p> | <p>p. 5-6,<br/>           Required to engage in training, orientation, or therapy that presents any form of race or sex stereotyping or blame on the basis of race or sex; require or make part of a course the concept that...<br/>           Defined concepts, Especially ix and x</p> <p>p. 6,<br/>           Require an understanding of The 1619 Project.</p> <p>p. 6<br/>           A state agency, school district, or open-enrollment charter school may not accept private funding for the purpose of developing a curriculum, purchasing or selecting curriculum materials, or providing teacher training or professional</p> | <p>Act of 1964, Pub. L. 7 No. 88-352, as amended, and applicable state law. Each school district shall prohibit its employees from discriminating</p> <p>p. 4<br/>           For any social studies course in the required curriculum: a teacher may not be compelled to discuss a particular current event or widely debated and currently controversial issue of public policy or social affairs; a teacher who chooses to discuss a topic described by Subdivision shall, to the best of the teacher's ability, strive to explore the topic from diverse and contending perspectives without giving deference to any one perspective</p> <p>Defined concepts</p> |

| State   | Context of Control   | Delivery of Race-Related Content  | Naming of Racism  |
|---------|--|---|---|
| Florida | <p>Florida statute 760.10 condition of employment, membership, certification, licensing, credentialing, or passing an examination, to training, instruction, or any other required activity that espouses, promotes, advances, inculcates, or compels such individual to believe specified concepts constitutes discrimination based on race, color, sex, or national origin; providing construction</p> | <p>p. 15 The history of African Americans, including the history of African peoples before the political conflicts that led to the development of slavery, the passage to America, the enslavement experience, abolition, and the history and contributions of African Americans of the African diaspora to society. Students shall develop an understanding of the ramifications of prejudice, racism, and stereotyping on individual freedoms and examine what it means to be a responsible and</p> | <p>Subjecting any individual, as a condition of employment, membership, certification, licensing, credentialing, or passing an examination, to training, instruction, or any other required activity that espouses, promotes, advances, inculcates, or compels such individual to believe any of the following concepts constitutes discrimination based on race, color, sex, or national origin under this section: (defined concepts 1-8)</p> |
| Florida | <p>Florida statute 1000.05 providing that subjecting any student or employee to training or instruction that espouses, promotes, advances, inculcates, or compels such individual to believe specified concepts constitutes discrimination based on race, color, sex, or national origin; conforming</p>   | <p>respectful person, for the purpose of encouraging tolerance of diversity in a pluralistic society and for nurturing and protecting democratic values and institutions. Instruction shall include the roles and contributions of individuals from all walks of life and their endeavors to learn</p>  | <p>p. 5 Discrimination on the basis of race, color ethnicity, national origin, sex gender, disability, religion, or marital status against a student or an employee in the state system of public K-20 education is prohibited. No person in this state shall, on the basis of race, color ethnicity,</p>   |

| State   | Context of Control  | Delivery of Race-Related Content  | Naming of Racism  |
|---------|---|---|---|
| Florida | <p>provisions to changes made by the act</p> <p>Florida statute 1003.42 revising requirements for required instruction on the history of African-Americans; authorizing instructional personnel to facilitate discussions and use curricula to address, in an age appropriate manner, specified topics; prohibiting classroom instruction and curricula from being used to indoctrinate or persuade students in a manner inconsistent with certain principles or state academic standards; requiring the department to prepare and offer certain standards and curriculum; authorizing the department to seek input from a specified organization for certain purposes; revising the requirements for required instruction on health education; requiring such instruction to comport with certain principles and include</p> | <p>and thrive throughout history as artists, scientists, educators, businesspeople, influential thinkers, members of the faith community, and political and governmental leaders and the courageous steps they took to fulfill the promise of democracy and unite the nation.</p> <p>Instructional materials shall include the vital contributions of African Americans to build and strengthen American society and celebrate the inspirational stories of African Americans who prospered, even in the most difficult circumstances.</p> <p>Instructional personnel may facilitate discussions and use curricula to address, in an age-appropriate manner, how the individual freedoms of persons have been infringed by slavery, racial oppression, racial segregation, and racial discrimination, as well as topics relating to the enactment and enforcement of laws</p> | <p>national origin, sex gender, disability, religion, or marital status, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any public K-20 education program or activity, or in any employment conditions or practices, conducted by a public educational institution that receives or benefits from federal or state financial assistance. The criteria for admission to a program or course shall not have the effect of restricting access by persons of a particular race, color, ethnicity, national origin, sex, gender, disability, religion, or marital status.</p> <p>p. 9-10,<br/>It shall constitute discrimination on the basis of race, color, national origin, or sex under this section to subject any student or employee to training or instruction that espouses, promotes, advances, inculcates,</p> |

| State   | Context of Control   | Delivery of Race-Related Content  | Naming of Racism  |
|---------|--|---|---|
| Florida | <p>certain life skills; requiring civic and character education instead of a character development program; providing the requirements of such education; providing legislative findings; requiring instruction to be consistent with specified principles of individual freedom; authorizing instructional personnel to facilitate discussions and use curricula to address, in an age appropriate manner, specified topics; prohibiting classroom instruction and curricula from being used to indoctrinate or persuade students in a manner inconsistent with certain principles or state academic standards; conforming cross-references to changes made by the act; requiring the State Board of Education to adopt a specified curriculum to be made available to schools for a certain purpose</p> <p>Florida statute 1006.31 prohibiting</p> | <p>resulting in racial oppression, racial segregation, and racial discrimination and how recognition of these freedoms has overturned these unjust laws. However, classroom instruction and curriculum may not be used to indoctrinate or persuade students to a particular point of view inconsistent with the principles enumerated in subsection or the state academic standards.</p> <p>p. 21-22<br/>Defined concepts</p> <p>p. 22<br/>Instructional personnel may facilitate discussions and use curricula to address, in an age-appropriate manner, how the freedoms of persons have been infringed by sexism, slavery, racial oppression, racial segregation, and racial discrimination, including topics relating to the enactment and enforcement of laws resulting in sexism,</p> | <p>or compels such student or employee to believe any of the following concepts: (defined concepts 1-8)</p> <p>p. 22<br/>The State Board of Education shall develop or adopt a curriculum to inspire future generations through motivating stories of American history that demonstrate important life skills and the principles of individual freedom that enabled persons to prosper even in the most difficult circumstances. This curriculum shall be known as "Stories of Inspiration" and made available to schools to implement the requirements of subsection (3)</p> |

| State | Context of Control  | Delivery of Race-Related Content   | Naming of Racism |
|-------|---|--|------------------|
|       | <p>instructional materials reviewers from recommending instructional materials that contain any matter that contradicts certain principles</p>                                | <p>racial oppression, racial segregation, and racial discrimination, including how recognition of these freedoms have overturned these unjust laws.</p>  |                  |
|       | <p>Florida statute 1012.98 requiring the Department of Education to review school district professional development systems for compliance with certain provisions of law</p> | <p>However, classroom instruction and curriculum may not be used to indoctrinate or persuade students to a particular point of view inconsistent with the principles of this subsection or state academic standards.</p> |                  |



## APPENDIX B

Table 4

*Florida Defined Concepts*

| 760.10 Unlawful practices   | 1000.05 K-20 discrimination   | 1003.42 Required Instruction  |
|---|---|---|
| <p>1. Members of one race, color, sex, or national origin are morally superior to members of another race, color, sex, or national origin.</p> <p>2. An individual, by virtue of his or her race, color, sex, or national origin, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.</p> <p>3. An individual's moral character or status as either privileged or oppressed is necessarily determined by his or her race, color, sex, or national origin.</p> <p>4. Members of one race, color, sex, or national origin cannot and should not attempt to treat others without respect to race, color, sex, or national origin.</p> <p>5. An individual, by virtue of his or her race, color, sex, or national origin, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race, color, sex, or national origin.</p> | <p>(4)(a) It shall constitute discrimination on the basis of race, color, national origin, or sex under this section to subject any student or employee to training or instruction that espouses, promotes, advances, inculcates, or compels such student or employee to believe any of the following concepts:</p> <p>1. Members of one race, color, national origin, or sex are morally superior to members of another race, color, national origin, or sex.</p> <p>2. A person, by virtue of his or her race, color, national origin, or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.</p> <p>3. A person's moral character or status as either privileged or oppressed is necessarily determined by his or her race, color, national origin, or sex.</p> <p>4. Members of one race, color, national origin, or sex cannot and should not attempt to treat others without respect to race, color, national origin, or sex.</p> | <p>(3) The Legislature acknowledges the fundamental truth that all persons are equal before the law and have inalienable rights. Accordingly, instruction and supporting materials on the topics enumerated in this section must be consistent with the following principles of individual freedom:</p> <p>(a) No person is inherently racist, sexist, or oppressive, whether consciously or unconsciously, solely by virtue of his or her race or sex.</p> <p>(b) No race is inherently superior to another race. *privilege is not addressed*</p> <p>(c) No person should be discriminated against or receive adverse treatment solely or partly on the basis of race, color, national origin, religion, disability, or sex.</p> <p>(d) Meritocracy or traits such as a hard work ethic are not racist but fundamental to the right to pursue happiness and be rewarded for industry.</p> |

| 760.10 Unlawful practices   | 1000.05 K-20<br>discrimination   | 1003.42 Required<br>Instruction   |
|---|--|---|
| 6. An individual, by virtue of his or her race, color, sex, or national origin, should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion.  | 5. A person, by virtue of his or her race, color, national origin, or sex bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race,color, national origin, or sex.  | (e) A person, by virtue of his or her race or sex, does not bear responsibility for actions committed in the past by other members of the same race or sex.   |
| 7. An individual, by virtue of his or her race, color, sex, or national origin, bears personal responsibility for and must feel guilt, anguish, or other forms of psychological distress because of actions, in which the individual played no part, committed in the past by other members of the same race, color, sex, or national origin. | 6. A person, by virtue of his or her race, color, national 245 origin, or sex should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion.   | (f) A person should not be instructed that he or she must feel guilt, anguish, or other forms of psychological distress for actions, in which he or she played no part, committed in the past by other members of the same race or sex.   |
| 8. Such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist, or were created by members of a particular race, color, sex, or national origin to oppress members of another race, color, sex, or national origin.   | 7. A person, by virtue of his or her race, color, sex, or national origin, bears personal responsibility for and must feel guilt, anguish, or other forms of psychological distress because of actions, in which the person played no part, committed in the past by other members of the same race, color, national origin, or sex. | Instructional personnel may facilitate discussions and use curricula to address, in an age-appropriate manner, how the freedoms of persons have been infringed by sexism, slavery, racial oppression, racial segregation, and racial discrimination, including topics relating to the enactment and enforcement of laws resulting in sexism, racial oppression, racial segregation, and racial discrimination, including how recognition of these freedoms have overturned these unjust laws. |
| (b) Paragraph (a) may not be construed to prohibit discussion of the concepts listed therein as part of a course of training or instruction, provided such training or instruction is given in an objective manner without  | 8. Such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist, or were created by members of a particular race, color, national origin, or sex to oppress members of another race,  | However, classroom instruction and curriculum may not be used to indoctrinate or persuade students to a particular  |

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|                                 |  |   |
|---------------------------------|--|---|
| 760.10 Unlawful practices       | 1000.05 K-20<br>discrimination   | 1003.42 Required<br>Instruction   |
| endorsement of the<br>concepts. | color, national origin, or<br>sex.<br><br>(b) Paragraph (a) may not<br>be construed to prohibit<br>discussion of the concepts<br>listed therein as part of a<br>larger course of training or<br>instruction, provided such<br>training or instruction is<br>given in an objective<br>manner without<br>endorsement of the<br>concepts. | point of view inconsistent<br>with the principles of this<br>subsection or state<br>academic standards. |

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## APPENDIX C

Table 5

*Compare Iowa, Texas, and Florida Defined Concepts for K-12 Instruction*

| Iowa H.F. 802  | Texas H. B. 3979   | Florida H. B. 7  |
|--|--|--|
| <p>c. "Specific defined concepts" includes all of the following:</p> <p>(1) That one race or sex is inherently superior to another race or sex.</p> <p>(2) That the United States of America and the state of Iowa are fundamentally or systemically racist or sexist.</p> <p>(3) That an individual, solely because of the individual's race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.</p> <p>(4) That an individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race or sex.</p> <p>(5) That members of one race or sex cannot and should not attempt to treat others without respect to race or sex.</p> <p>(6) That an individual's moral character is necessarily determined by the individual's race or sex.</p> <p>(7) That an individual, by virtue of the individual's race or sex, bears responsibility for actions committed in the past by other members of the same race or sex.</p> <p>(8) That any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on</p> | <p>(B) Require or make part of a course the concept that:</p> <p>(i) one race or sex is inherently superior to another race or sex;</p> <p>(ii) an individual, by virtue of the individual's race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;</p> <p>(iii) an individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race;</p> <p>(iv) members of one race or sex cannot and should not attempt to treat others without respect to race or sex;</p> <p>(v) an individual's moral character, standing, or worth is necessarily determined by the individual's race or sex;</p> <p>(vi) an individual, by virtue of the individual's race or sex, bears responsibility for actions committed in the past by other members of the same race or sex;</p> <p>(vii) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of the individual's race or sex;</p> | <p>(3) The Legislature acknowledges the fundamental truth that all persons are equal before the law and have inalienable rights. Accordingly, instruction and supporting materials on the topics enumerated in this section must be consistent with the following principles of individual freedom:</p> <p>(a) No person is inherently racist, sexist, or oppressive, whether consciously or unconsciously, solely by virtue of his or her race or sex.</p> <p>(b) No race is inherently superior to another race.</p> <p>(c) No person should be discriminated against or receive adverse treatment solely or partly on the basis of race, color, national origin, religion, disability, or sex.</p> <p>(d) Meritocracy or traits such as a hard work ethic are not racist but fundamental to the right to pursue happiness and be rewarded for industry.</p> <p>(e) A person, by virtue of his or her race or sex, does not bear responsibility for actions committed in the past by other members of the same race or sex.</p> <p>(f) A person should not be instructed that he or she must feel guilt, anguish, or other</p> |

| Iowa H.F. 802  | Texas H. B. 3979  | Florida H. B. 7   |
|--|---|---|
| <p>account of that individual's race or sex.</p> <p>(9) That meritocracy or traits such as a hard work ethic are racist or sexist, or were created by a particular race to oppress another race.</p> <p>(10) Any other form of race or sex scapegoating or any other form of race or sex stereotyping.</p>   | <p>(viii) meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race to oppress members of another race;</p> <p>(ix) the advent of slavery in the territory that is now the United States constituted the true founding of the United States; or</p> <p>(x) with respect to their relationship to American values, slavery and racism are anything other than deviations from, betrayals of, or failures to live up to, the authentic founding principles of the United States, which include liberty and equality; and</p> <p>(C)require an understanding of The 1619 Project.</p> | <p>forms of psychological distress for actions, in which he or she played no part, committed in the past by other members of the same race or sex.</p>  |
| <p>c. "Specific defined concepts" includes all of the following:</p> <p>(1) That one race or sex is inherently superior to another race or sex.</p> <p>(2) That the United States of America and the state of Iowa are fundamentally or systemically racist or sexist.</p> <p>(3) That an individual, solely because of the individual's race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.</p> | <p>(B) Require or make part of a course the concept that:</p> <p>(i) one race or sex is inherently superior to another race or sex;</p> <p>(ii) an individual, by virtue of the individual's race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;</p> <p>(iii) an individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race;</p> <p>(iv) members of one race or sex cannot and</p>   | <p>(3) The Legislature acknowledges the fundamental truth that all persons are equal before the law and have inalienable rights. Accordingly, instruction and supporting materials on the topics enumerated in this section must be consistent with the following principles of individual freedom:</p> <p>(a) No person is inherently racist, sexist, or oppressive, whether consciously or unconsciously, solely by virtue of his or her race or sex.</p> <p>(b) No race is inherently superior to another race.</p> <p>(c) No person should be discriminated against or receive adverse treatment solely or partly</p> |

- (4) That an individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race or sex.
- (5) That members of one race or sex cannot and should not attempt to treat others without respect to race or sex.
- (6) That an individual's moral character is necessarily determined by the individual's race or sex.
- (7) That an individual, by virtue of the individual's race or sex, bears responsibility for actions committed in the past by other members of the same race or sex.
- (8) That any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of that individual's race or sex.
- (9) That meritocracy or traits such as a hard work ethic are racist or sexist, or were created by a particular race to oppress another race.
- (10) Any other form of race or sex scapegoating or any other form of race or sex stereotyping.
- should not attempt to treat others without respect to race or sex;
- (v) an individual's moral character, standing, or worth is necessarily determined by the individual's race or sex;
- (vi) an individual, by virtue of the individual's race or sex, bears responsibility for actions committed in the past by other members of the same race or sex;
- (vii) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of the individual's race or sex;
- (viii) meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race to oppress members of another race;
- (ix) the advent of slavery in the territory that is now the United States constituted the true founding of the United States; or
- (x) with respect to their relationship to American values, slavery and racism are anything other than deviations from, betrayals of, or failures to live up to, the authentic founding principles of the United States, which include liberty and equality; and
- on the basis of race, color, national origin, religion, disability, or sex.
- (d) Meritocracy or traits such as a hard work ethic are not racist but fundamental to the right to pursue happiness and be rewarded for industry.
- (e) A person, by virtue of his or her race or sex, does not bear responsibility for actions committed in the past by other members of the same race or sex.
- (f) A person should not be instructed that he or she must feel guilt, anguish, or other forms of psychological distress for actions, in which he or she played no part, committed in the past by other members of the same race or sex.

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**APPENDIX D**
**Table 6***Okun/white supremacy analysis*

| WSC Trait                         | Iowa  | Texas   | Florida   |
|-----------------------------------|---|---|---|
| Fear - of those who criticize WSC | p. 3<br>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, | p. 6<br>Require an understanding of The 1619 Project<br><br>p. 6<br>A state agency, school district, or open-enrollment charter school may not accept private funding for the purpose of developing a curriculum, purchasing or selecting curriculum materials, or providing teacher training or professional development for a course described by Subsection (h-3)(3) | p. 11<br>Paragraph (a) may not be construed to prohibit discussion of the concepts listed therein as part of a larger course of training or instruction, provided such training or instruction is given in an objective manner without endorsement of the concepts.<br><br>p. 12-13<br>Members of the instructional staff of the public schools, subject to the rules of the State Board of Education and the district school board, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historical accuracy, following the prescribed courses of study, and |

| WSC Trait | Iowa | Texas | Florida  |
|-----------|------|-------|--|
|           |      |       | <p>employing approved methods of instruction,</p> <p>p. 22-23<br/>Instructional materials recommended by each reviewer shall be, to the satisfaction of each reviewer, accurate, objective, balanced, noninflammatory, current, free of pornography and material prohibited under s. 847.012...</p> <p>(d) Require, when appropriate to the comprehension of students, that materials for social science, history, or civics classes contain the Declaration of Independence and the Constitution of the United States. A reviewer may not recommend any instructional materials that contain any matter reflecting unfairly upon persons because of their race, color, creed, national origin, ancestry, gender, religion, disability, socioeconomic status, or occupation or otherwise</p> |



| WSC Trait  | Iowa   | Texas  | Florida  |
|--|--|--|--|
| Perfectionism - no need to interrogate WSC             | <p>p. 4<br/>Institution diversity and inclusion efforts shall discourage students of a public institution of higher education from discriminating against another by political ideology or any characteristic protected under the federal Civil Rights 16 Act of 1964, Pub. L. No. 88-352, as amended, and applicable state law.</p> | <p>p. 6<br/>The advent of slavery in the territory that is now the United States constituted the true founding of the United States;</p> | <p>contradict the principles enumerated under s. 1003.42(3).<br/>p. 21<br/>The Legislature acknowledges the fundamental truth that all persons are equal before the law and have inalienable rights. Accordingly, instruction and supporting materials on the topics enumerated in this section must be consistent with the following principles of individual freedom:<br/><br/>p. 21-22<br/>Instructional personnel may facilitate discussions and use curricula to address, in an age-appropriate manner, how the freedoms of</p> |
| One-Right-Way - there is one way to think about issues | <p>p. 3<br/>That an individual's moral character is necessarily determined by the individual's race or sex.</p>  | <p>p. 5<br/>An individual's moral character, standing, or worth is necessarily determined by the individual's race or sex;</p>           | <p>p. 10<br/>A person's moral character or status as either privileged or oppressed is necessarily determined by his or her race, color, national origin, or sex.</p>  |

| WSC Trait  | Iowa  | Texas   | Florida   |
|--|---|---|---|
|  |   |   | <p>persons have been infringed by sexism, slavery, racial oppression, racial segregation, and racial discrimination, including topics relating to the enactment and enforcement of laws resulting in sexism, racial oppression, racial segregation, and racial discrimination, including how recognition of these freedoms have overturned these unjust laws. However, classroom instruction and curriculum may not be used to indoctrinate or persuade students to a particular point of view inconsistent with the principles of this subsection or state academic standards.</p> |
| Paternalism - those with power define standards and ignore other views | <p>p. 4<br/>Any other form of race or sex scapegoating or any other form of race or sex stereotyping.</p> | <p>p. 6-7<br/>Not later than December 31, 2022, the State Board of Education shall review and revise, as needed, the essential knowledge and skills of the social studies curriculum as</p> | <p>p. 5<br/>Discrimination on the basis of race, color, ethnicity, national origin, sex, gender, disability, religion, or marital status against a student or an employee in the state system of</p>  |

| WSC Trait | Iowa | Texas  | Florida   |
|-----------|------|--|---|
|           |      | required by Section 28.002(h-2), Education Code, as added by this Act. | <p>public K-20 education is prohibited. No person in this state shall, on the basis of race, color, ethnicity, national origin, sex, gender, disability, religion, or marital status, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any public K-20 education program or activity, or in any employment conditions or practices, conducted by a public educational institution that receives or benefits from federal or state financial assistance</p> |
|           |      |  | <p>p.13<br/>The history of African Americans, including the history of African peoples before the political conflicts that led to the development of slavery, the passage to America, the enslavement experience, abolition, and the history and contributions of African Americans</p>   |

| WSC Trait  | Iowa  | Texas  | Florida<br>of the African diaspora to society.  |
|--|---|--|---|
| Objectivity - support of rational analysis that is not neutral and ignores emotional appeals | p. 3<br>That one race or sex is inherently superior to another race or sex. | p. 1<br>The fundamental moral, political, and intellectual foundations of the American experiment in self-government;<br><br>p. 5<br>One race or sex is inherently superior to another race or sex | p. 6<br>The criteria for admission to a program or course shall not have the effect of restricting access by persons of a particular race, color ethnicity, national origin, sex gender, disability, religion, or marital status.<br><br>p. 6<br>All public K-20 education classes shall be available to all students without regard to race, color ethnicity, national origin, sex gender, disability, religion, or marital status;<br><br>p. 10<br>Members of one race, color, national origin, or sex are morally superior to members of another race, color, national origin, or sex.<br><br>p. 21<br>No race is inherently superior to another race. |
| Qualified - white, middle-class values that decide who or                                    | p. 3<br>“Race or sex stereotyping”  | p. 4   | p. 9<br>It shall constitute discrimination on   |

| WSC Trait  | Iowa   | Texas  | Florida   |
|--|--|--|---|
| what is deserving, assume a duty to fix and improve and claim to be race-neutral | means ascribing character 4 traits, values, moral and ethical codes, privileges, status, or beliefs to a race or sex, or to an individual because of the individual's race or sex. | A school district, open-enrollment charter school, or teacher may not require, make part of a course, or award a grade or course credit, including extra credit, for a student's: political activism, lobbying, or efforts to persuade members of the legislative or executive branch at the federal, state, or local level to take specific actions by direct communication; or (B) participation in any internship, practicum, or similar activity involving social or public policy advocacy; | <p>the basis of race, color, national origin, or sex under this section to subject any student or employee to training or instruction that espouses, promotes, advances, inculcates, or compels such student or employee to believe any of the following concepts:</p> <p>p. 19<br/>The qualities and responsibilities of patriotism and; responsibility; citizenship, including,; kindness; respect for authority, life, liberty, and personal property; honesty; charity; self-control; racial, ethnic, and religious tolerance; and cooperation and,</p> <p>p. 22<br/>The State Board of Education shall develop or adopt a curriculum to inspire future generations through motivating stories of American history that demonstrate important life skills and the principles of</p> |

| WSC Trait  | Iowa  | Texas   | Florida  |
|--|---|---|--|
|  |   |   | individual freedom that enabled persons to prosper even in the most difficult circumstances. This curriculum shall be known as "Stories of Inspiration" and made available to schools to implement the requirements of subsection (3).   |
| Either/or - simplify complex issues into a good or bad binary      | p. 3<br>That an individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race or sex. | p. 5<br>An individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race; | p. 10<br>A person, by virtue of his or her race, color, national origin, or sex, should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion.<br><br>p. 21 No person should be discriminated against or receive adverse treatment solely or partly on the basis of race, color, national origin, religion, disability, or sex. |
| Progress - value measurements of progress without interrogation    |   |   |  |
| Quantity over quality - ignores conflict between the content of an | p. 4<br>Institution diversity and inclusion efforts shall   | p. 6<br>A school district or open-enrollment charter school may   | p. 16<br>Instructional materials shall include the vital   |

| WSC Trait                                 | Iowa   | Texas  | Florida   |
|---|--|--|---|
| issue and the process or lived experience | discourage students of a public institution of higher education from discriminating against another by political ideology or any characteristic protected under the federal Civil Rights 16 Act of 1964, Pub. L. No. 88-352, as amended, and applicable state law. | not implement, interpret, or enforce any rules or student code of conduct in a manner that would result in the punishment of a student for discussing, or have a chilling effect on student discussion of, the concepts described by Subsection (h-3)(4) | contributions of African Americans to build and strengthen American society and celebrate the inspirational stories of African Americans who prospered, even in the most difficult circumstances. Instructional personnel may facilitate discussions and use curricula to address, in an age-appropriate manner, how the individual freedoms of persons have been infringed by slavery, racial oppression, racial segregation, and racial discrimination, as well as topics relating to the enactment and enforcement of laws resulting in racial oppression, racial segregation, and racial discrimination and how recognition of these freedoms has overturned these unjust laws. However, classroom instruction and curriculum may not be used to indoctrinate or persuade students to a particular point of |

| WSC Trait   | Iowa  | Texas  | Florida   |
|---|---|--|---|
| Worship of the written word - adherence to written text despite the influence of WSC in the formation of the text   |   | p. 1-2<br>The founding documents of the United States, including:... the writings of and about the founding fathers and mothers and other founding persons of the United States, including the writings of... historical documents related to the civic accomplishments of marginalized populations,... the history and importance of the civil rights movement, including the following documents:... | view inconsistent with the principles enumerated in subsection (3) or the state academic standards.<br><br>p. 13<br>The history and content of the Declaration of Independence, ...The history, meaning, significance, and effect of the provisions of the Constitution of the United States and amendments thereto, ...The arguments in support of adopting our republican form of government, as they are embodied in the most important of the Federalist Papers |
| Individualism - insistence on being seen as an individual not as a part of a group, especially regarding racism. Values competition and self-sufficiency with a disregard for the | p. 3<br>...or claiming that, consciously or unconsciously, and by virtue of persons' race or sex, members of any race are inherently racist or are inherently inclined to oppress | p. 5<br>An individual, by virtue of the individual's race or sex, bears responsibility for actions committed in the past by other members of the same race or sex  | p. 10<br>A person, by virtue of his or her race, color, national origin, or sex bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions   |



| WSC Trait   | Iowa   | Texas  | Florida  |
|---|--|--|--|
| role of dominant identities and collective accountability. Ignores the double bind for People of Color. | <p>others, or that members of a sex are inherently sexist or inclined to oppress others.</p> <p>p. 3<br/>That an individual, by virtue of the individual's race or sex, bears responsibility for actions committed in the past by other members of the same race or sex.</p> <p>p. 4<br/>That meritocracy or traits such as a hard work ethic are racist or sexist or were created by a particular race to oppress another race.</p> | <p>p. 5<br/>meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race to oppress members of another race;</p> | <p>committed in the past by other members of the same race, color, national origin, or sex.</p> <p>p. 10<br/>Such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist or were created by members of a particular race, color, national origin, or sex to oppress members of another race, 257 color, national origin, or sex.</p> <p>p. 19<br/>The nature and importance of free enterprise to the 458 United States economy.</p> <p>p. 21<br/>Meritocracy or traits such as a hard work ethic are not racist but fundamental to the right to pursue happiness and be rewarded for industry.</p> <p>p. 21<br/>A person, by virtue of his or her race or</p> |

| WSC Trait   | Iowa   | Texas  | Florida  |
|---|--|--|--|
| I'm the only - romanticism of WSC and fear of losing control.                     | p. 3<br>That the United States of America and the state of Iowa are fundamentally or systemically racist or sexist.      | p. 6<br>With respect to their relationship to American values, slavery and racism are anything other than deviations from, betrayals of, or failures to live up to the authentic founding principles of the United States, which include liberty and equality; and | sex, does not bear responsibility for actions committed in the past by other members of the same race or sex.<br><br>p. 13<br>The history of the United States, including the period of discovery, early colonies, the War for Independence, the Civil War, the expansion of the United States to its present boundaries, the world wars, and the civil rights movement to the present. American history shall be viewed as factual, not as constructed, shall be viewed as knowable, teachable, and testable, and shall be defined as the creation of a new nation based largely on the universal principles stated in the Declaration of Independence. |
| Defensiveness - cultural unease with truth and attempts to silence truth-telling. | p. 3<br>That an individual, solely because of the individual's race or sex, is inherently racist, sexist, or oppressive, | p. 5<br>An individual, by virtue of the individual's race or sex, is inherently racist, sexist, or oppressive, whether   | p. 10<br>A person, by virtue of his or her race, color, national origin, or sex is inherently racist, sexist, or oppressive, whether   |

| WSC Trait   | Iowa   | Texas   | Florida  |
|---|--|---|--|
|   | whether consciously or unconsciously.  | consciously or unconsciously  | consciously or unconsciously.<br><br>p. 21<br>No person is inherently racist, sexist, or oppressive, whether consciously or unconsciously, solely by virtue of his or her race or sex.   |
| Denial - refusal to acknowledge racism.   | p. 3<br>That members of one race or sex cannot and should not attempt to treat others without respect to race or sex.  | p. 5<br>Members of one race or sex cannot and should not attempt to treat others without respect to race or sex   | p. 10<br>Members of one race, color, national origin, or sex cannot and should not attempt to treat others without respect to race, color, national origin, or sex.  |
| Right to comfort - those with power have a right to comfort and name what is and is not racism, a right to scapegoat anything that causes discomfort and equate unfairness as racism. | p. 3-4<br>That any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of that individual's race or sex. | p. 4<br>A teacher may not be compelled to discuss a particular current event or widely debated and currently controversial issue of public policy or social affairs; a teacher who chooses to discuss a topic described by Subdivision (1) shall, to the best of the teacher's ability, strive to explore the topic from diverse and contending perspectives without giving | p. 10<br>A person, by virtue of his or her race, color, sex, or national origin, bears personal responsibility for and must feel guilt, anguish, or other forms of psychological distress because of actions, in which the person played no part, committed in the past by other members of the same race, color, national origin, or sex. |

| WSC Trait   | Iowa   | Texas  | Florida   |
|---|--|--|---|
|   |  | <p>deference to any one perspective;</p> <p>p. 4<br/>a teacher, administrator, or other employee of a state agency, school district, or open-enrollment charter school may not: be required to engage in training, orientation, or therapy that presents any form of race or sex stereotyping or blame on the basis of race or sex</p> <p>p. 5<br/>an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of the individual's race or sex;</p> | <p>p. 21<br/>A person should not be instructed that he or she must feel guilt, anguish, or other forms of psychological distress for actions, in which he or she played no part, or committed in the past by other members of the same race or sex.</p> |
| Fear of conflict - insistence on politeness and civility, blame those who point out conflicts | <p>p. 5-6<br/>This subsection shall not be construed as preventing an employee or contractor who teaches any curriculum or who provides mandatory training from responding to questions regarding specific defined</p> | <p>p. 1<br/>In adopting the essential knowledge and skills for the social studies curriculum, the State Board of Education shall adopt essential knowledge and skills that develop each student's civic knowledge,</p>   | <p>p. 13<br/>The elements of civil government, including the primary functions of and interrelationships between the Federal Government, the state, and its counties, municipalities, school districts, and special districts.</p>                      |

| WSC Trait  | Iowa  | Texas  | Florida  |
|--|---|--|--|
|  | concepts raised by participants in the training.  | p. 1<br>the history, qualities, traditions, and features of civic engagement in the United States; | p.16<br>Students shall develop an understanding of the ramifications of prejudice, racism, and stereotyping on individual freedoms and examine what it means to be a responsible and respectful person for the purpose of encouraging tolerance of diversity in a pluralistic society and for nurturing and protecting democratic values and institutions. |
| Power hoarding - threatened by change, change is ill-informed. |   |  |  |
| Urgency - reinforce power by rushing decision-making           | 2021<br><br>Statutory framing: diversity training for government entities, higher education, and K-12 | 2021<br><br>Statutory framing: K-12 social studies curriculum                                      | 2022<br><br>Statutory framing: diversity training for workplaces, higher education, and K-12; K-12 required instruction; K-12 instructional materials; K-12 teacher professional development   |

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