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Critical Race Theory

Summary and Key Talking Points

Policy Proposals

1. Limit federal overreach in education, which is rightly within the purview of state and local governments.
2. Oppose implementation of the harmful Equality Act in schools.
3. Require that public schools make their curricular resources available to the public.
4. Promote civics knowledge, not critical race theory inspired diversity training.

Quick Facts

1. School districts that employ chief diversity officers (CDOs) have larger achievement gaps between students from different ethnicities.
2. The average university has 3.4 staff members promoting diversity, equity, and inclusion (DEI) for every 100 tenured or tenure-track faculty members, and many of these have more DEI staff than history professors.
3. Fifty percent of all parents and 70 percent of school board members say that they do not want schools to use instructional material based on the idea that slavery is the “center of our national narrative.”

Power Phrases

Require Transparency

- Parents should know what is being taught in their children’s K–12 schools. Parents and taxpayers should have access to the material that teachers are using in the classroom.

Protect Teachers

- District and school officials must not be allowed to mandate that public school teachers affirm claims of moral guilt or innocence based on their racial identity in order to remain employed in a public school.

Include Families in Decision Making

- If a child’s school is using materials rooted in critical race theory, parents should object to the school’s principal and school board and, at a minimum, be allowed to opt out.

Expand Parental Choice

- Lawmakers should lift the caps on scholarship programs, increase school choice, and ease the provisions that limit additional public learning options through charter schools.

The Issue

Americans should defend civil rights and work actively to eliminate racism in the U.S.—and these noble aims are *not* the stated intentions of those who devised critical race theory (CRT). Harvard academic Derrick A. Bell, recognized godfather of CRT, does not mince words in laying out the theory’s radical aims. In “Who’s Afraid of Critical Race Theory?” he writes: “As I see it, critical race theory recognizes that revolutionizing a culture begins with the radical assessment of it.”

CRT has its intellectual origin in critical theory, a Marxist approach that evaluates every area of life through the prism of the oppressed and oppressors—counter to America’s promise of freedom and equality under the law. CRT’s adherents see the same power dynamics that proponents of critical theory see while considering these dynamics through the prism of race. Critical race theorists claim that America is systemically racist, and that this racism produced an alliance between working-class whites and the oppressor capitalist class that prevents working-class solidarity.

CRT teaches a toxic message to students of all backgrounds. Whether disguised as “diversity, equity, and inclusion” (DEI) programs, as “affinity groups,” or characterized in other euphemistic terms, CRT lessons and efforts are spreading in public and private schools. By its very nature, CRT is both a pseudo-academic discipline and a call to action that is designed to compel students to act on the idea that the world is divided between people who are victimizers and people who are victims based on their race or ethnicity.

Policymakers have a duty to prevent educators from applying CRT to K–12 public school activities since, by so doing, they possibly violate the Equal Protection Clause of the Fourteenth Amendment and federal laws known as Title VI and Title IX, which protect Americans from discrimination based on race, sex, or national origin in educational institutions that receive federal funds.

Recommendations

Policy Proposals (Federal)

In order to prevent divisive ideological indoctrination in America’s public schools, Congress should:

Limit federal overreach in education, which is rightly within the purview of state and local governments. Congress should allow states to opt out of existing federal education programs, eliminate duplicative and ineffective programs operated by the U.S. Department of Education, and equip parents with more control over how existing education dollars are spent through funding portability so that families can better avoid CRT indoctrination.

Oppose implementation of the harmful Equality Act in schools. Around the country, 10 states have explicitly prohibited sexual orientation and gender identity (SOGI) curricula. Under the Equality Act, if adopted, federal courts could mandate SOGI ideology in schools by prohibiting traditional teachings on sexual morality as “discriminatory.” States should also enact policies that protect single-sex private facilities and athletics. Congress should respect states’ authority in setting curricula, parental rights to the upbringing of their children, and the safety and privacy concerns of all students.

Policy Proposals (State)

In order to prevent divisive ideological indoctrination in America's public schools, state legislators should:

Reject, alongside school board officials, the teaching of ethnic prejudice through CRT in academic subjects in their local schools. School board members should adopt civics and history standards that inform students correctly about how the establishment during periods of American history, such as slavery, Reconstruction, and the Jim Crow era, contradicted the principles in the Declaration of Independence and the U.S. Constitution. These documents contain the national ideals of freedom and opportunity for all, regardless of race or any other immutable characteristic. The current generation—and every generation—must “let the proud fabric of freedom rest” upon the ideas of liberty, “a reverence for the constitution and laws,” and the pursuit of a civil society that offers freedom and opportunity to all Americans, regardless of the color of their skin.

Prohibit compelled speech and reinforce the Civil Rights Act of 1964. No public education employee shall compel a teacher or student to adopt, affirm, adhere to, or profess ideas that are in violation of Title VI and Title IX of the Civil Rights Act of 1964. Such ideas include the notions that individuals should be adversely or advantageously treated on the basis of their race, ethnicity, color, or national origin or that individuals, by virtue of race, ethnicity, color, or national origin, bear collective guilt and are inherently responsible for actions committed in the past by others of the same race, ethnicity, color, or national origin.

Require that public schools make their curricular resources available to the public. Parents should know what is being taught in their children's K–12 schools. Parents and taxpayers should have access to the material that teachers are using in the classroom. Some charter schools provide models and already make these resources available.

Promote civics knowledge, not diversity training. K–12 and postsecondary school officials are spending significant amounts of taxpayer money on so-called anti-bias training. No public school employee or student should be required to engage in training programs that affirm the idea that individuals bear guilt for actions committed in the past by people of the same race or ethnicity.

Offer alternative procedures for entry into the teaching profession that do not include the ideology of critical pedagogy. Nowhere has CRT permeated curricula and instruction more than in university-based schools of education. Colleges of education have a tremendous reach when it comes to training teachers who populate public and private schools across the country. State lawmakers should end requirements that teachers graduate or receive training from a university school of education, which significantly reduces enrollment in schools of education, and states should allow alternative teacher certification outside colleges of education.

Prohibit education officials from requiring public school teachers to participate in diversity training programs as a condition of employment. District and school officials must not be allowed to mandate that public school teachers affirm claims of moral guilt or innocence based on their racial identity in order to remain employed in a public school.

Give families access to school board decision-making processes with respect to the adoption of curricula. More than 14,000 school boards and nearly 100,000 school board members, who constitute the largest body of elected officials in the country, influence everything from districts' budgets and construction projects to school textbook adoption and collective bargaining processes. School boards oversee much of the policies and practices in the public schools in their districts. Information about the curricula and textbooks used in those schools is opaque. Parents should engage with their local school boards by (1) identifying school board meetings to attend throughout the year; (2) staying up to date on school board activities by reading posted meeting minutes; (3) submitting questions about spending, curricula, and staffing at school board

meetings; and (4) reading the school board’s mission statement. If a child’s school is using materials rooted in critical theory, parents should complain to the school’s principal and school board and, at a minimum, be allowed to opt out.

Expand parental choice in education. One of the most important tools for combatting CRT in the classroom is giving families control of where and what their children learn. More than half of all U.S. states offer some form of private school scholarship option for K–12 students; lawmakers in 44 states and Washington, DC, allow the creation of public charter schools; and every state allows parents to homeschool their children. State officials in every state should give students access to private schools, especially when in-person learning is not available at assigned schools because of teacher union strikes or other disruptions. Many states, however, have limits on student participation or the creation of public charter schools. Lawmakers should lift the caps on scholarship programs, increase school choice, and ease the provisions that limit additional public learning options through charter schools.

Facts + Figures

FACT: Critical race theory is taught in K–12 public schools.

- In April 2021, the Portland, Oregon, public school district hosted a “Critical Race Theory Coalition Summit.”
- The Loudon County, Virginia, public school district contracted with an organization called The Equity Collaborative to provide professional development to district teachers. The Equity Collaborative prioritizes CRT in its training.
- The California Department of Education created a model ethnic studies curriculum that is replete with CRT’s racially discriminatory ideas, including “intersectionality.”
- Kimberlé Crenshaw, one of CRT’s originators, designed the concept of intersectionality, which claims that all ethnic minorities are oppressed in American society and that they are oppressed in multiple ways—based on their gender, class, race, and other combinations of racial and personal characteristics.

FACT: School districts that employ chief diversity officers (CDOs) have larger achievement gaps between students from different ethnicities.

- In districts without a CDO, the average black student is 1.9 grade levels behind the average white student on standardized test results. In districts with CDOs, the achievement gap is half a grade level larger with the average black student being 2.4 grade levels behind the average white student.
- This pattern repeats itself for the white vs. Hispanic achievement gaps. The gap between the average white and Hispanic student on standardized tests is 0.44 grade levels larger in districts with a CDO than it is in districts without a CDO.
- And again, the disparity continues in the non-poor vs. poor achievement gaps. In this case, the gap between the average non-poor and poor student is 0.37 grade levels larger in districts with CDOs than it is in those without them.
- According to a nationally representative survey of parents and a subsample of school board members conducted by The Heritage Foundation in 2020, nearly two-thirds of school board members believe that schools do not provide enough instruction in civics.
- Fifty percent of all parents and 70 percent of school board members said that they *do not* want schools to use instructional material based on the idea that slavery is the “center of our national narrative.”

- Parents (57 percent) and school board members (65 percent) do *not* believe that schools should reframe American history to teach children that the United States is tainted by slavery and racism. Seventy percent of parents and 74 percent of school board members believe that students should be taught that slavery was a tragedy that harmed the nation but that freedom and prosperity, not slavery, represent who Americans are as a nation, offering a beacon to those who want to immigrate here.
- Nearly 79 percent of districts with 100,000 or more students employ CDOs—individuals typically advancing a leftist agenda focused on students’ racial identifications, not student achievement.
- On average, among postsecondary institutions in the Power 5 athletic conferences, universities employ 45 individuals exclusively for DEI programs—outside of academic instruction and for the purposes of advancing racially focused school initiatives.

Resources

The Heritage Foundation, [Protecting K-12 Students from Discrimination](#), critical race theory model bill for states, June 18, 2021.

The Heritage Foundation, [Critical Race Theory: Legislation Tracker](#).

Lindsey M. Burke, Jonathan Butcher, Emilie Kao, and Mike Gonzalez, [The Culture of American K-12 Education: A National Survey of Parents and School Board Members](#), Heritage Foundation *Special Report* No. 241, January 11, 2021.

Jay P. Greene and James D. Paul, [Diversity University: DEI Bloat in the Academy](#), Heritage Foundation *Backgrounder* No. 3641, July 27, 2021.

Jay P. Greene and James D. Paul, [Equity Elementary: ‘Diversity, Equity, and Inclusion’ Staff in Public Schools](#), Heritage Foundation *Backgrounder* No. 3666, October 19, 2021.

Jonathan Butcher, [Rescuing Math and Science from Critical Race Theory’s Racial Discrimination](#), Heritage Foundation *Issue Brief* No. 5201, July 13, 2021.

Mike Gonzalez and Jonathan Butcher, [State Education Officials Must Restore a Sense of National Character in Public Schools](#), Heritage Foundation *Backgrounder* No. 3571, April 22, 2021.

Frederick M. Hess and Lindsey M. Burke, [Does Race Get Short Shrift in Education Research and Teacher Training?](#), Heritage Foundation *Issue Brief* No. 6073, April 5, 2021.

Jonathan Butcher and Lindsey M. Burke, [Seven Steps to Combatting “Critical Theory” in the Classroom](#), Heritage Foundation *Issue Brief* No. 6064, March 22, 2021.

Jonathan Butcher and Mike Gonzalez, [Critical Race Theory, the New Intolerance, and Its Grip on America](#), Heritage Foundation *Backgrounder* No. 3567, December 7, 2020.