



Focus: Combatting Classroom Censorship

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A Wolf in Sheep’s Clothing – The Attacks Against Equity through School Censorship and How Educators Can Still Teach the Truth

by *Chloe Latham Sikes, Ph.D.*

Like others across the country, Texas K-12 schools began this year under the threat of impending school censorship. Unfortunately, many schools experienced the impact of the new laws before they even went into effect.

The school year has been marked from the start with state scrutiny over campus libraries, classroom bookshelves, and teachers’ discussions of history, current events and racial justice. Although the Texas bills (House Bill 3979 and then its replacement, Senate Bill 3) initially appeared as “civics education” reforms, this was a weak disguise for school censorship against racial justice and gender inclusivity and against policies and practices affirming the LGBTQ+ community.

Thinly-Veiled Efforts Toward School Censorship

The Texas censorship law explicitly pertains to classroom civics education, instruction and teacher professional development. But the impact of SB 3 and other school censorship laws across the country extends far beyond the classroom walls.

Proponents of school censorship use veiled language to disguise state scrutiny as “transparency,” whitewashing as “patriotism” and attempts to rollback educational equity as “parental control.”

Indeed, censorship laws are wolves in sheep’s clothing, cloaked in superficially innocent language as they prey upon school books; diversity, equity, and inclusion initiatives; and culturally-sustaining teaching practices.

For instance, the Texas legislation says nothing about specific book titles, yet its passage fueled book ban inquiries across the state. While no books or texts are actually banned by the school censorship bills, book ban inquiries by state leadership following the passage of SB 3 led to multiple school districts holding board meetings about book lists and scouring school libraries for the books in question (Hixenbaugh, 2022). Most of the texts relate to racial justice, gender inclusivity and the experiences of LGBTQ+ people.

Education leaders also report that the bill is being used to silence conversations on diversity, equity and inclusion (DEI) across school districts and state agencies (Garrett, 2022). In some districts, educators used the bill as an excuse to pause equity initiatives (Gates, 2022).

DEI initiatives focus on developing a greater sense of belonging for everyone in the school community. These initiatives often focus on deepening teacher and staff understandings about how race affects their students’ lives, how racism and discrimination restrict students’
(cont. on Page 2)

Proponents of school censorship use veiled language to disguise state scrutiny as “transparency,” whitewashing as “patriotism” and attempts to rollback educational equity as “parental control.”

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educational opportunities, and how to understand these issues to develop more inclusive schools (Carver-Thomas, 2018; Theoharis & Scanlan, 2015). Such initiatives are important for encouraging a deeper examination of how a school district – or other institutions – recognize systemic inequities that lead to discrimination and marginalization for students and staff (Theoharis & Scanlan, 2015). Private and public sector industries have incorporated DEI initiatives as they understand that diversity of people, ideas, and inclusive work and learning settings promote better collaboration and outcomes (World Economic Forum, 2020).

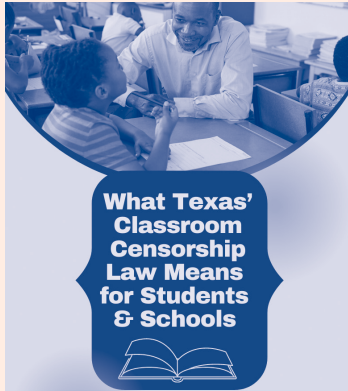
The wolf of school censorship hunts not just for *what* is taught, but *how* it is taught.

School censorship bills are cited as justification to halt important programs that attend to students' mental health and social-emotional learning (Prothero & Blad, 2021). Censorship bills have used a broad brush to characterize any subject of "discomfort" as negative.

Social-emotional learning programs help students reflect on their actions and emotions, introduce emotional intelligence and build intersocial skills among peers. These programs are supported by research in psychology, counseling and child development to promote students' learning in the classroom and as they navigate social settings, peer interactions and major life events (Mahoney, et al., 2018). Social-emotional learning offers an important way to support students amid the ongoing COVID-19 pandemic (Rummel, et al., 2022).

Teaching practices that recognize and incorporate students' diverse identities in learning are also targeted by censorship laws. Culturally-sustaining pedagogies are well-researched

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methods of teaching racially, ethnically and linguistically diverse students (Caldera, 2021), and leading diverse school campuses and institutions (Khalifa, et al., 2016). These pedagogies are predicated on affirming school community members' identities and using them as strengths to construct a welcoming, inclusive and encouraging school environment, which is vital to student learning.

To be clear, the words *equity*, *culturally-relevant*, and *culturally-responsive* do not appear anywhere in Texas' SB 3 law. Yet, the new law's implications threaten these evidence-based approaches to healthy school systems.

IDRA's Guide to Teaching the Truth Amid Texas's Newest School Censorship Law

IDRA compiled a detailed analysis of SB 3, *What Texas' Classroom Censorship Law Means for Students & Schools*, to guide educators to teach the truth despite censorship efforts. We

IDRA's detailed guide of Texas Senate Bill 3 contains analysis and our interpretation for how components of the law impact educators and what this means for continuing to teach the truth in schools. Educators should still consult with their district administration for local policies.

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share our interpretation of the law and what this means for continuing to teach the truth in schools.

Importantly, Texas schools still have not received clear guidance from the state about standard ways to implement the law's many confusing parts, and many teachers report not yet receiving clear guidance from their districts.

In late November 2021, the Texas Education Agency issued a statement on one part of SB 3: the list of "prohibited concepts" – or censored topics – that cannot be discussed in any subject at any grade level (TEA, 2021). This statement did not include information on other components of the bill, such as a new civics academy for social studies teachers, changes to the state learning standards, or teachers' protections against private legal action related to this bill.

Educators should still consult with their district administration for local policies related to (cont. on Page 4)

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Playing Defense is Not Enough – Let's Recommit to a Vision of Public Schools that Values Every Child, Every Educator, Every Community

by Michelle Castillo, Ed.M.

Since January 2021, we have seen at least 37 states introduce laws that seek to ban “divisive” content in classrooms and school libraries (Schwartz, 2022). Legislation to censor classroom learning has evolved into a call for “parents’ rights” and “curriculum transparency,” with some states now targeting words like *diversity*, *equity* and *inclusion* (Schwartz & Pendharkar, 2022). While we are busy playing defense, we must not lose sight of the long game and articulate clearly a vision for public education that values every single student.

Proponents of school censorship legislation and book bans deem any curriculum that discusses race or affirms the experiences of LG-BTQ+ youth as anti-American. In their version of U.S. history, slavery and racism are mere “deviations from, betrayals of or failures to live up to” (the country’s authentic founding principles (Latham Sikes & Gómez, 2022).

This is obviously a major and intentional re-writing of history. If slavery and racism are deviations from – rather than central to – the American experience, then it would follow that we do not have to acknowledge their legacy and role in our current everyday lives. We are absolved from the moral responsibility to remedy racism’s impact on our legal, education, housing and criminal justice systems.

Erasure of the past means students no longer will grapple with the effects of racism and prejudice today. Even worse, whitewashing history undermines the urgency to equip students the understand the world around them and to effect change.

And that is what is so insidious about this moment: not only is it a coordinated effort to sanitize our complicated U.S. history but it also is a removal of the tools to address the wrongs of our past, in our present. By covering up systemic inequities, proponents of school censorship legislation remove the ability of schools,

public policy, the courts and governments to redress wrongs.

The current effort to institute gag orders on educators that do not comply with school censorship legislation is a rejection of the promise of the *Civil Rights Act of 1964*, *Brown v. Board of Education of Topeka*, and a multicultural vision of democracy where every student has access to equal opportunity because every student and their community are valued.

It is not enough to play defense. We must also play offense.

All children are born artists, curious about the world around them and wired for social interaction (Makin, 2020). Families universally want to see their children succeed and want an education that will foster empathy, curiosity and the ability to grapple with challenging issues. From solving difficult math homework to navigating the social politics of high school, we want to set up our children for future success.

We know that, for a long time, our public education system has worked for some children but not all. We know there are long-existing inequities in public schools, where children from communities with limited incomes lack access to well-funded schools and most emergent bilingual students are not prepared by their schools to graduate at the same rates as their peers. “Black students were more likely to be punished and arrested in school and to receive harsher punishments than their peers, even for the exact same behaviors” (Craven, 2020).

Laws like the classroom censorship policies make the pursuit of equitable and excellent schools for all students both more difficult and more pressing. As we organize to beat back efforts to censor teachers, whitewash our history, and ban our books, let us offer a vision of public education that values the humanity of every

(cont. on Page 4)

As we organize to beat back efforts to censor teachers, whitewash our history, and ban our books, let us offer a vision of public education that values the humanity of every child, teacher, and cafeteria and custodial support staff.

(Playing Defense is Not Enough, continued from Page 3)

child, teacher, and cafeteria and custodial support staff.

At IDRA, our vision is to have an excellent public school system that values every single student and prepares them to succeed in college. We believe in a public school system that is well- and fairly-funded, that uses research-based strategies to support civil rights and build positive school climates, and that encourages authentic engagement with families.

If you share our vision, we invite you to join our community of advocates. Please sign up to receive information about our work in Texas, Georgia and across the U.S. South (<https://www.idra.org/eac-south/>).

Resources

- Craven, M. (September 2020). The Policing of Black People Begins in Schools. *IDRA Newsletter*.
- Makin, S. (March 2, 2020). Born Ready: Babies Are Prewired to Perceive the World. *Scientific American*.
- Schwartz, S. (February 22, 2022). Map: Where critical race theory is under attack. *Education Week*.
- Schwartz, S., & Pendharkar, E. (February 2, 2022). Here's the Long List of Topics Republicans Want Banned from the Classroom. *Education Week*.
- Latham Sikes, C., & Gómez, I. (February 2022). What Texas' Classroom Censorship Law Means for Students and Schools. *Knowledge is Power*.

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Families Must be Centered in Education Policymaking, Not Used as Puppets

The expertise and experiences of all families must be part of building excellent and equitable schools regardless of their racial or ethnic background or socio-economic status. It is critical for district and school leaders to develop authentic relationships and ensure their voices are represented regardless of their access to financial means or political influence.

Some groups are now intentionally pitting families against schools and against each other to whitewash our history. These groups, who purport to represent values such as "equality" and "transparency" are feeding families inaccurate information about their schools and encouraging them to make harmful demands and violent interventions in school policymaking to advance policies that actually widen inequalities. They are pushing broad economic, social and political agendas under the name of "parent engagement."

This is dangerous.

For students to feel a connection and affinity for this country they must be taught to grapple with its painful history, see the beauty and value in the diversity of its people, and recognize all the work there is still left to do to make our democracy better. Students, their families, and their communities benefit from schools that provide truthful and culturally-sustaining curricula.

IDRA's principles for family leadership in education provide a roadmap for implementing a truly inclusive vision of family engagement in schools that centers traditionally marginalized families and focuses on building more just, culturally-sustaining schools for all students. We encourage schools and policymakers to use these principles in crafting responses to misinformation and to proactively develop opportunities for meaningful and productive engagement with all families.

(A Wolf in Sheep's Clothing, continued from Page 2)

instruction, curriculum and school activities and should urge district leadership to ensure those policies protect teachers and students.

Conclusion

The wolf of school censorship is on a more extensive hunt to weaken protections for marginalized students. School curriculum, educational programs and equity initiatives are the flavor of the day, but affirmative action initiatives, free speech and equal protection under the law are on the menu tomorrow. All members of school communities – teachers, students, leaders and families – can take steps to continue to speak up and teach the truth so that all students learn and are prepared for tomorrow.

Resources

- Caldera, A. (May 2021). *Equity-centered Pedagogies: An Overview of Terminology*. IDRA.
- Carver-Thomas, D. (2018). *Diversifying the Teaching Profession: How to Recruit and Retain Teachers of Color*. Learning Policy Institute.
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- Gates, B. (January 13, 2022). Parent sues Eanes ISD, accuses administration of 'secretly' hiring diversity consultant. *KXAN News*.
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Reclaiming the U.S. Constitution – Legal Considerations for Combatting Classroom Censorship Laws

by Paige Duggins-Clay, J.D.

The adoption of the 14th Amendment in 1868 represented our nation's first attempt to provide equal protection and representation to Black Americans, who had lived in bondage and violence for nearly 250 years at the time of its ratification. The Amendment's last line (known as the Equal Protection Clause) promises "equal protection of the laws." Dr. Martin Luther King, Jr., famously said in his 1963 I Have a Dream speech: "It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned."

While there can be no doubt that we have made tremendous strides as a society since the 14th Amendment's enactment, and even more since MLK spoke these time-honored words on the steps of the Lincoln Memorial, there can similarly be no question that now, as then, some of our state and national leaders have reneged on their "sacred obligation" to equal protection.

Disturbingly, as classroom censorship legislation has blazed its way through the country (and particularly across the U.S. South), some have attempted to justify these harmful bills as somehow flowing from or supported by the 14th Amendment and/or state and federal civil rights laws.

One Florida bill (HB 7) would go so far as to make it an illegal act of discrimination under the state's civil rights law to "subject" an individual to any activity that "espouses, promotes, advances," etc. "concepts," such as implicit bias, systemic racism/bias, and affirmative action.

Let there be no mistake: Invoking the U.S. Constitution as the basis for promoting and implementing classroom censorship policies is antithetical to the principles of freedom of speech and equal protection guaranteed by the First and 14th Amendments. And anyone truly committed to advancing diversity, equity and inclusion in our schools and society should strongly oppose laws and policies that prohibit

educators from teaching about the history and impacts of systemic racism in the United States. Silencing the discussion of any aspect of these histories in our classrooms goes against the professed values of freedom and equality offered to everyone under the U.S. Constitution.

Schools' compliance with state and federal civil rights laws is a foundational requirement for equal and equitable education. Despite the performative antics of those who wish to silence students and educators from sharing their authentic perspectives, there is no credible evidence that teaching the truth about our history or encouraging civic engagement violates anti-discrimination laws.

To the contrary, there is ample evidence that students today are deeply impacted by racism, misogyny and other forms of discrimination in their schools – sometimes embedded in school district policies and often perpetrated by their fellow students, teachers or campus staff (see TEACH Coalition 2021 letter with stories from students about their experiences in school). This impact is particularly acute for Black, Brown, immigrant and LGBTQ+ students.

The U.S. Constitution protects opportunities for students and educators to engage in dialogue and draw their own conclusions about why racial and other inequalities persist despite individual equality under the law. Courts around the country have found that governmental efforts to censor discussions of difficult issues, including issues of race and injustice, are unlawful, particularly where such efforts have a disproportionate impact on people of color.

In *Arce v. Douglas* (2015), for example, a federal court was asked to consider whether state ex-
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The U.S. Constitution protects opportunities for students and educators to engage in dialogue and draw their own conclusions about why racial and other inequalities persist despite individual equality under the law.

(Playing Defense is Not Enough, continued from Page 5)

Executive action to eliminate Arizona's Mexican American Studies program was motivated by unlawful racial animus. The misguided Arizona law, which was struck down by the court, that targeted the Mexican American Studies program echoed many of the elements of censorship legislation proposed and/or adopted in Texas, Georgia, Florida, Virginia and several other states today. For example, the now-defunct law included a prohibition on instruction or classes that "promote resentment toward a race or class of people," "are designed primarily for pupils of a particular ethnic group," or "advocate ethnic solidarity instead of the treatment of pupils as individuals."

Under well-settled law, courts may consider several factors to analyze whether racial discrimination is an element of a state official's decision-making (Arlington Heights, 1977), including:

- the impact of the official action and whether it bears more heavily on one race than another;
- the historical background of the decision;
- the specific sequence of events leading to the challenged action;
- the official's departures from normal procedures or substantive conclusions; and
- the relevant legislative or administrative history.

It is worth remembering that, under the 14th Amendment, a person need not prove that un-

"No State shall... nor shall any State... deny to any person within its jurisdiction the equal protection of the laws."

– Equal Protection Clause, 14th Amendment, U.S. Constitution

lawful discrimination was the "sole" purpose of the challenged action, only that it was a "motivating factor."

Applying those factors to the official actions in the Arizona ethnic studies case, the court easily concluded that facts stated by the plaintiffs could establish an equal protection violation, in addition to a First Amendment claim.

The district court's decision, upheld by the Ninth Circuit Court of Appeals, serves as a clear reminder of the true nature and purpose of the Equal Protection Clause, as well as a stern admonishment to lawmakers that the constitution will not tolerate actions motivated in any way by discriminatory bias.

A commitment to equity requires rigorous and truthful examination of the root causes of unequal outcomes in order to create policies that promote equal opportunity for all. And central

to the concept of individual freedom is the right to think and feel for oneself. State-sponsored efforts to hide the truth of our history and stop students from critically examining historical events that contribute to modern-day inequality must be called out for what they are: intentional efforts to erase the reality of the lived experiences of students of color, students with diverse gender identities, and immigrant students and part of a larger, coordinated strategy to roll back our nation's foundational civil rights protections and interventions.

Resources

Arce v. Douglas. (2015). 793 F.3d 968, 978 (9th Cir.).
TEACH Coalition. (September 14, 2021). Request for Opinion No. RQ-0421-KP: Anti-Racism and Critical Race Theory Teachings.
Vill. of Arlington Heights v. Metro. Hous. Dev. Corp. (1977). 429 U.S. 252, 265-66.

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IDRA's Knowledge is Power

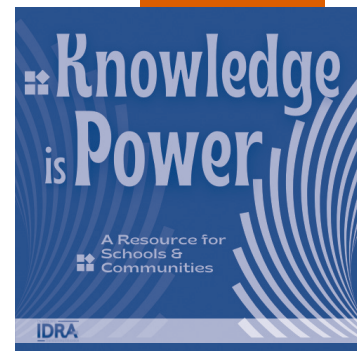
A free bilingual resource for combating classroom censorship

IDRA's Knowledge is Power is a national resource for educators and advocates to help you do your work for equity and excellence in education in the midst of classroom censorship policies.

IDRA works to ensure students have the educational opportunities to go to college and pursue lives of purpose. We are committed to the idea that all young people – regardless of the languages they speak, where they live, where they came from, or the color of their skin – must receive an equitable and excellent education.

Recent Stories:

- Students Testify Against Classroom Censorship in Georgia
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- Using Primary Resources as Points of Truth
- How Texas' Newest Censorship Bill Applies to School Activities – New Guide to Texas Censorship Bill
- Today's Attacks on Students' Civil Rights Echo Earlier Attacks on Bilingual Education
- Fighting Classroom Censorship in Georgia – Analysis of New Bills



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New Advocacy Guide Shares Tips and Lessons from Classroom Censorship Fight

by Morgan Craven, J.D.

At IDRA, we advocate educational policies and practices that promote excellent schools for all students. As we think deeply about the substance of policies, we also work to change the policymaking process itself. This process often excludes people of color, working families and young people, who face many barriers to having a meaningful say in the rules that govern their schools and communities.


Some of those barriers are logistical and bar participation for many people. For example, it is hard to attend a legislative hearing about school discipline when it is held at 11:30 on a Tuesday morning in the state capital. It is difficult to reach out to the members of a committee when many of them have no staffers who speak languages other than English. It is nearly impossible to share perspectives and opinions when legislators cancel or schedule the public comment portion of a hearing at the last minute.

Additionally, some of these barriers to meaningful engagement are due to a confusing policymaking process, which leaves many feeling powerless to participate in it. We believe everyone – especially people from systemically-marginalized communities – should see themselves as advocates who have an important story to tell and ideas to share. These communities should not be used as political pawns. They should be supported as they develop community-driven strategies that promote safe and equitable schools (IDRA, Jan. 2022).

This sort of authentic and meaningful engagement in advocacy helps to change the policymaking process itself and leads to more equitable and sustainable systems and laws that benefit all people.

We at IDRA have learned many lessons over nearly 50 years that have shaped our community-centered approach to advocacy. Our family leadership in education (Montemayor

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We actively opposed classroom censorship policies, including leading a large coalition in Texas, participating in national strategy sessions, and working with partners to oppose bills in Georgia. As our fellow advocacy organizations continue to fight against classroom censorship in their states and communities, our hope is that the lessons we learned and tools we used in our advocacy can help support others' inclusive, community-centered work.

English: <https://idra.news/6AdvocacyLesssons>
Spanish: <https://idra.news/6AdvocacyLesssonsSP>

& Chavkin, 2016) and Education CAFE (Montemayor, 2017) models support local education advocacy projects. Our statewide policy campaigns in Texas and Georgia focus on the collective power of young people, families, educators and other advocates.

We share what we have learned about thoughtful advocacy and policymaking, specifically lessons learned during the recent classroom censorship debates in dozens of states across the country.

From our efforts on this issue in Texas and Georgia, we created an advocacy guide (IDRA, 2022). The guide highlights six lessons learned and six key advocacy tools that were useful in our work, including the importance of centering young people and families of color, building cross-sector coalitions, identifying clear messaging, and engaging in collective policy analyses and decision-making.

We invite you to share this guide with individuals and groups seeking to engage in their own advocacy campaigns and who want practical

tips and resources for how to oppose harmful classroom censorship policies in their states and communities.

Resources

- IDRA. (January 20, 2022). Families Must be Centered in Education Policymaking, Not Used as Puppets, IDRA Statement. *Knowledge is Power*.
- IDRA. (2022). *Advocacy Lessons Learned from Fighting Against Classroom Censorship Policies*. IDRA.
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Focus: *Combatting Classroom Censorship*

Representing Texas Communities of Color in the Room Where it Happens IDRA's First Education Policy Fellows Reflect on their Experience and the Texas Legislature

IDRA changed the landscape of Texas education by training advocates to influence state law and lead a powerful network of impacted communities, according to a report released recently. Texas policy advocates typically do not reflect the population of its K-12 schools, 72% of whom are students of color. Leading into the 2021 session, IDRA launched its ground-breaking program and introduced four Education Policy Fellows to amplify the voices of communities of color across the state.

“In my 40 years of conducting evaluation interviews, I have never interviewed a more passionate group who were so eager to share the tremendous impact this fellowship had on their personal lives, their careers, and their educational goals,” said external evaluator Dr. Nancy Chavkin. Dr. Chavkin is the Regents’ Professor and University Distinguished Professor of Social Work at Texas State University.

“Effective education policymaking requires authentic engagement with diverse communities, particularly with those that have been denied meaningful access for so long,” said Morgan Craven, J.D., IDRA’s National Director of Policy, Advocacy and Community Engagement.

Four-part Podcast Miniseries

- Education Advocacy Hinges on Community Collaboration - #214
- An Inside Look at Advocating with Communities of Color - #215
- Education Policy Fellows Get Things Done in the Suppression Session - #216
- The Future of Education Advocacy and Being Pushy - #217

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