

October 7, 2021

Francis Howell School District Board of Education  
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RE: Standards, approval, and content of Black History & Black Literature Electives

Board of Education Members,

Like many parents throughout our community, I began attending Francis Howell School District (FHSD) Board of Education (the Board) meetings, albeit virtual, in summer 2020 to hear the decisions being made about in-person, hybrid, and remote learning at my child's school. As you know, the decisions made at those meetings had significant impacts for parents throughout the district, me included. I believe your focus on keeping students in school, then and now, is both responsible and reasonable. I am thankful you chose in-person learning for the 2020-2021 school year.

While watching those summer 2020 Board meetings, I witnessed the Board adopt the Resolution on Racism. To say nothing of its wording, I found the whole concept of a resolution like this very odd. I thought to myself, "Of course we are against racism! Will the Board also adopt resolutions against sex trafficking, drugs, murder, etc.?" Given the current events at the time, I convinced myself that this resolution was as an act to satisfy a very vocal and active segment of our community; however, I have recently revisited that assessment and find it was short-sighted. I believe some staff members at FHSD consider the Resolution to be a mandate to implement sweeping ideological changes within the curriculum of not just a few high school electives, but the entire district.

In the spring and summer 2021 Board meetings I noticed the increasing focus by parents on the, now approved, Black History and Black Literature (BHBL) electives in Francis Howell School District (FHSD) high schools. I saw the presentations given by the curriculum writing team and the brave student supporters of these courses. I saw them vehemently defend what these courses were and were not and why, in their view, the courses were so urgently needed. Again, I found this whole series of events very odd. How could students who had not taken the course advocate about what the course was or was not?

After the presentation, I attended an informational webinar on April 26, 2021, to learn more about the courses and see for myself if the criticisms leveled at FHSD about these courses were fair, or misguided. I submitted questions to the Secondary ELA/SS/WL Content Leader (who is also the Content Leader of the Black History and Black Literature Curricula Committees and the

host of the webinar) after said webinar, as my questions went unanswered during the question-and-answer portion of the webinar itself. It was not until I received responses that I became disheartened with FHSD. A copy of my e-mail and the responses thereto are enclosed with this letter. In my view, the responses are grossly insufficient and incomplete, and certainly not of a caliber I would expect from an educator that has earned a Ph.D. Judge for yourself. What is more, in a Missouri Sunshine Law request I later made, I learned that the Director of Curriculum and Assessment had instructed the Secondary ELA/SS/WL Content Leader not to spend too much time responding to my questions. (That e-mail is also enclosed.) Specifically, he wrote “do not spend too much time on this.” Compare that statement with FHSD’s defense of these courses, after their approval, claiming that “[t]he District also hosted informational webinars to share the content of the courses and get feedback from community members.”<sup>1</sup> Getting feedback for the sake of being able to say you got feedback is unacceptable. After I received the responses, I resorted to submitting a Missouri Sunshine Law request to obtain as many answers as possible, on my own, since the FHSD representative seemed not able, not willing, or not allowed to do so.

The response to my Sunshine Law request has taken weeks to sort through to create a timeline of events and study the topics discussed during the development of these courses. I am now sure, beyond any reasonable doubt, that the Board, intentionally or unintentionally, has improperly approved two courses (BHBL) that use the Critical Race Theory pedagogy, and that those courses use unapproved standards. Based on public comment, presentations given by staff at Board meetings, and email from FHSD administrators to the Board, I am confident that the Board, at a minimum, was misled regarding the nature of the BHBL courses. If the Board had the knowledge that I now have on Critical Race Theory and the content of the curriculum, I believe the Board would have asked the curriculum team to revisit the development of the courses and postpone their approval until a later date. These are my accusations; therefore, I hold the burden of proof, lest I be charged with conspiracy theories or worse. That said, please understand proof cannot be shown in a 2-page letter or 3-minute patron comment. The BHBL curriculum material is over 125 pages, and that does not include all the supporting documents, which are dozens more.

A letter like this runs two risks. First, it risks being too short, giving the reader the impression that information herein are obscure instances, and the rest of the material must be non-controversial. Conversely, it risks being too long, giving the reader the impression that I am nitpicking every word and “looking” for problems with it—or the reader just will not finish it. I have done my best to find middle ground, with a tendency to err on being short. Addressing every debatable aspect of the curricula would require a very lengthy analysis. I have not ruled out preparing such a report, but I hope that a few clear examples will be sufficient to raise enough concern among the Board to make some tough decisions.

I realize the board must economize on its volunteer time. Between budgets, COVID-19, all the other work the board does, and now the BHBL courses, it is not my intention to waste the Board’s volunteer time with this topic, but it is important to many of the FHSD residents and has

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<sup>1</sup> July 15 Board of Education Meeting Follow-Up Fact Sheet (Jul 20, 2021)  
<https://www.fhdschools.org/cms/one.aspx?portalId=995782&pageId=48840719>

far-reaching consequences for us all. Please recognize that I also have limited time, but much has been spent reading and researching the courses and the Critical Race Theory pedagogy. Considerable time and effort have gone into this letter.

### **Improper Approval of Curriculum Within the Consent Agenda**

The approval of the curriculum during the July 15, 2021, FHSD Board Meeting Consent Agenda (9.A) was improper. On the agenda for this item, there is a note at the bottom which reads, in part:

Items included in the Consent Agenda are voted on and approved in one motion as noted below. Our adopted rules of Parliamentary Procedure, Robert's Rules, provide for a consent agenda listing several items for approval of the Board by a single motion.<sup>2</sup>

Robert's Rules state the following about items placed on the Consent Agenda (Consent Calendar):

**Consent Calendar.** Legislatures, city, town, or county councils, or other assemblies which have a heavy work load including a large number of routine or noncontroversial matters may find a consent calendar a useful tool for disposing of such items of business.<sup>3</sup>

The approval of the BHBL curricula was *not* a noncontroversial matter<sup>4</sup>. The Board broke their adopted rules by approving these curricula. Patron comments during this meeting and several meetings prior, as well as emails and webinar comments voiced strong opposition to the content of these courses. I urge the Board to acknowledge that approval of the BHBL courses were in violation of FHSD Board of Education rules.

### **Curriculum Framework**

The superintendent has on at least two occasions spoke to the concern raised by the community about Critical Race Theory. In the June 17, 2021, board meeting, his remarks are precise and well delivered. He states, in part, "we have *not* adopted Critical Race Theory *as our curriculum framework*."<sup>5</sup> (Emphasis added.) On the September 7, 2021, Mark Reardon radio show, the superintendent's comments were broader when he stated, "we have not adopted Critical Race Theory and we are not teaching Critical Race Theory."<sup>6</sup> The examples and comparisons outlined herein refute those claims.

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<sup>2</sup> July 15, 2021, Meeting Agenda, available at: <https://go.boarddocs.com/mo/fhsdmo/Board.nsf/Private>

<sup>3</sup> Henry M. Robert III, et. al., Robert's Rules of Order Newly Revised, 12<sup>th</sup> Edition (New York: Public Affairs, 2020.) para. 41:32.

<sup>4</sup> Patron comments at the June and July 2021 Board meetings demonstrate this.

<sup>5</sup> Superintendent comments during agenda item 12.1 of the June 17, 2021, FHSD Board of Education Meeting: [https://youtu.be/l\\_lil0uGvP0?t=4790](https://youtu.be/l_lil0uGvP0?t=4790).

<sup>6</sup> "The Mark Reardon Show, September 7, 2021, HOUR 3 – Dr. Nathan Hoven & Mike Gonzalez," Approximately 3:05 into the episode. <https://www.audacy.com/971talk/podcasts/mark-reardon-show-304/september-7-2021-hour-3-dr-nathan-hoven-mike-gonzalez-724509044>

Also of concern, is the use of the Southern Poverty Law Center (SPLC) Social Justice Standards within the final curriculum framework. I can find no record of the FHSD Board approving these standards for use in our district. The standards are controversial to say the least, but I will not debate those points here. The point is simply that the BHBL courses, at a minimum, use, what I believe to be, unapproved standards. Furthermore, the FHSD website makes no mention of these standards, nor does it state that standards other than Revised Missouri Learning Standards, national fine arts and practical arts standards, or national technology standards will be used in the curriculum development process. The Board should acknowledge that the curricula heavily rely on unapproved standards and did not follow the processes for curriculum development published on the FHSD website<sup>7</sup>.

## Defining Critical Race Theory

If FHSD believes Critical Race Theory is nothing more than teaching white-privilege or dividing the races, it is misinformed. FHSD has made numerous (incorrect, I argue) statements insisting that the BHBL courses do not use/teach Critical Race Theory or white privilege<sup>8</sup>. (The Board should know that at least one teacher has admitted to doing exactly that. A Francis Howell North social studies teacher stated, on camera, that she has been teaching “white-privilege” in all her classes, be it World History or U.S. History for almost 10 years now.<sup>9</sup>)

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<sup>7</sup> Francis Howell School District / Departments/Programs / Curriculum Website. Accessed September 23, 2021. It states, in part:

***“What resources are used to develop and revise curriculum?”***

*Curriculum development is informed by national and state standards. FHSD utilizes the Revised Missouri Learning Standards in English, Math, Science and Social Studies. For elective areas, the district annotates their curriculum documents to national fine arts and practical arts standards. Furthermore, our district will work to embed national technology standards to all curriculum resources. Finally, a variety of resources that relate to student achievement such as ACT data, standardized test scores, current educational research, and best practices are all considered during the revision process.*

***How does the curriculum development process work?***

*The curriculum development and revision process involves many people in the FHSD community. It starts with classroom teachers who volunteer to participate in the curriculum development project teams. The team begins their work by looking at the Revised Missouri Learning Standards (for core areas) and State/National Fine Arts and Practical Arts standards to determine what students need to know and be able to do. These become the building blocks for the curriculum document. Next, activities and assessments are designed that meet the appropriate level of rigor and relevance. Once those steps have been completed, the curriculum proceeds to the Curriculum Advisory Council. This committee of parents, patrons, teachers and administrators examine each curriculum and offer feedback. Once revisions are made, the curriculum moves on to the Academic Strategic Planning Committee for further review. After that committee reviews, offers feedback and approves it, it goes to the Board of Education for approval.” (Underlines added.)*

<https://www.fhdschools.org/departments/curriculum>

<sup>8</sup> See, for example, superintendent comments during agenda item 12.1 of the June 17, 2021, FHSD Board of Education Meeting: [https://youtu.be/l\\_lilOuGvP0?t=4790](https://youtu.be/l_lilOuGvP0?t=4790). See also “The Mark Reardon Show, September 7, 2021, HOUR 3 – Dr. Nathan Hoven & Mike Gonzalez,” Approximately 3:05 into the episode.

<https://www.audacy.com/971talk/podcasts/mark-reardon-show-304/september-7-2021-hour-3-dr-nathan-hoven-mike-gonzalez-724509044>

<sup>9</sup> Rumble.com, “FHSD Public and Private Presentations on Black History Curriculum.” Posted by wokeatfhds. Published July 7, 2021. Approximately 12:50 into the video <https://rumble.com/vjimi9-fhds-public-and-private-presentations-on-black-history-curriculum.html>; This teacher, who was a social studies teacher at Francis Howell North, started with FHSD Oct 2018; therefore, has *only* been teaching white privilege to FHSD students for the past 3 years.

The most concise definition of Critical Race Theory I have found is in the Glossary of Terms to Richard Delgado and Jean Stefancic's book *Critical Race Theory: An Introduction*. It reads:

Critical race theory: Radical legal movement that seeks to transform the relationship among race, racism, and power.<sup>10</sup>

Interestingly, the definition above was from the first edition of *Critical Race Theory: An Introduction*, published in 2001. By the third (current) edition of the same book (published in 2017), the word "radical" has been replaced with the more palatable and sanitized term, "progressive."

CRITICAL RACE THEORY: Progressive legal movement that seeks to transform the relationship among race, racism, and power.<sup>11</sup>

Delgado and Stefancic are critical race theorists themselves, some of the earliest in fact. (Note, the Critical Race Theory quotes and definitions I use herein are taken from, primarily, the foundational critical race theorists themselves, not obscure or oppositional observers.)

Beyond Delgado and Stefancic's one-sentence definition, the basic themes/tenets of Critical Race Theory are quoted below, as taken from the Oxford Companion to American Law, published in 2002. I hope you would agree that Oxford reference materials are a reasonably unbiased source for information; if anything, I would argue they even lean left, but not emphatically. This entry to the *Oxford Companion to American Law* was written by Richard Delgado and Jean Stefancic; unsurprising, as they have written and published extensively on the topic. Also noteworthy, given the first/third edition sanitization mentioned above, is the following summary is from 2002, well before this topic became a hot-button issue.

Supported by a loosely organized collection of scholars and lawyers, critical race theory features no specific credo or set of tenets that all members would subscribe to. But a number of themes play an important role.

First is the belief that race is central, not peripheral, to American thought and life.

Second is the notion that racism is common and ordinary rather than rare and episodic, so that a great deal of Americans' social life is affected by it.

A third strand is material determinism, or interest convergence—the idea that racial relations maintain a white-over-black/brown hierarchy that provides benefits to and profits to elite groups in the majority race and are for that reason difficult to reform.

A fourth feature, which critical race theorists hold in common with many social scientists, is the social construction thesis, according to which races are products

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<sup>10</sup> Richard Delgado and Jean Stefancic, *Critical Race Theory: An Introduction* (New York: New York University Press, 2001) p. 144.

<sup>11</sup> Richard Delgado and Jean Stefancic, *Critical Race Theory: An Introduction, Third Edition* (New York: New York University Press, 2017) p. 171.

of social thought and invention, not objective or biologically real. Races are categories that society conjures up, deploys, and retires when convenient...

A final [fifth] theme of [critical race theory] that is now [circa 2002] emerging is the idea of differential racialization, the notion that U.S. society racializes different groups—that is, constructs and treats them in different ways.<sup>12</sup>

Kimberlé Crenshaw, professor of law Columbia Law School<sup>13</sup>, creator of the “intersectionality” concept<sup>14</sup>, organizer of the 1989 “New Developments in Critical Race Theory” conference that gave the movement a name and formal structure<sup>15</sup>, and a heavily referenced scholar in the field, writes, along with the other editors of their 1995 book *Critical Race Theory: Key Writing That Formed the Movement*:

Critical Race Theory aims to reexamine the terms by which race and racism have been negotiated in American consciousness, and to recover and revitalize the radical tradition of race-consciousness among African-Americans and other peoples of color—a tradition that was discarded when integration, assimilation and the ideal of color-blindness became the official norms of racial enlightenment.<sup>16</sup>

To be sure, the entire Introduction to their book, is a denunciation of colorblindness. The rejection of colorblindness was the entire genesis of the Critical Race Theory movement following the Civil Rights Era. The *Handbook of Critical Race Theory in Education* states, very concisely:

CRT rejects colorblindness, racism as individual and not systemic, and essentialism.<sup>17</sup>

During a recent conversation with the superintendent, he stated very directly that, while colorblindness used to be the method of considering (or not considering) race in educational decision making and policy, it is no longer that way. This reinforces what you may already be thinking—mainly that Critical Race Theory has already seeped into several aspects of not only education, but societal norms in general. That may be true, but it does not negate the fact that these curricula incorporate several aspects of Critical Race Theory, which must be acknowledged.

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<sup>12</sup> Richard Delgado and Jean Stefancic, “Critical Race Theory” *The Oxford Companion to American Law*, edited by Kermit L. Hall (Norwalk: Easton Press, 2002.) p. 204. (Returns between themes added for reading clarity.)

<sup>13</sup> “Kimberlé W. Crenshaw,” *Columbia Law School*. <https://www.law.columbia.edu/faculty/kimberle-w-crenshaw>

<sup>14</sup> Tyrone C. Howard and Rema Reynolds, “Examining Black Male Identity Through a Raced, Classed, and Gendered Lens: Critical Race Theory and the Intersectionality of the Black Male Experience,” *Handbook of Critical Race Theory in Education*, edited by Marvin Lynn and Adrienne D. Dixson (New York: Routledge, 2013.) p. 234.

<sup>15</sup> Richard Delgado. “Liberal McCarthyism and the Origins of Critical Race Theory,” *Critical Race Theory: The Cutting Edge, Third Edition*, edited by Richard Delgado and Jean Stefancic (Philadelphia: Temple University Press, 2013.) p. 41.

<sup>16</sup> Kimberlé Crenshaw, et. al., *Critical Race Theory: Key Writings That Formed the Movement* (New York: The New Press, 1995.) p. xiv.

<sup>17</sup> Thandeka K. Chapman, “Origins of and Connections to Social Justice in Critical Race Theory in Education,” *Handbook of Critical Race Theory in Education*, edited by Marvin Lynn and Adrienne D. Dixson (New York: Routledge, 2013.) p. 106.

## April 15, 2021, FHSD Board Meeting

The very first patron commenter at the April 15, 2021, Board meeting, herself a counselor at Francis Howell North (FHN) and a member of the Black History Curriculum Revision Team, stood up and told you:

[The Black History course] is not social commentary or race theory, or political ideology.<sup>18</sup>

One need only look at the student activities in the curricula to learn, beyond a reasonable doubt, that many, if not most of the activities are social commentary. They ask students to consider several aspects of current social issues, from kneeling during the National Anthem, to Trayvon Martin, to health care and to discuss them in groups and with the class. This is the very definition of social commentary. Additionally, in the very same meeting, the Content Leader of the Black History course stated in her presentation to the Board, "[T]he goals were really to blend every unit with some history, as well as some events of today, to help students see the connection between the two."<sup>19</sup> Again, this is the definition of social commentary. The [Critical] Race Theory portion of her comment is discussed in detail below. Finally, the course may or may not "teach" political ideology, but it does, in fact, give students a full suite of left-of-center, (many far left), articles and opinions to read from, to *form their own opinions*.

The third patron commenter, a student at FHN, reading from a prepared statement, educates us on the true meaning of *To Kill a Mockingbird*, using a textbook Critical Race Theory analysis<sup>20,21</sup>. One need only Google the two terms together for a lengthy list of critical race theory writings that mirror her statements.

The fifth patron commenter, also a student at FHN, reading from a prepared statement, makes the following statement when advocating for the Black History course:

[W]e all exist in a power dynamic, of privilege, or lack thereof, on the basis of race, and to be aware of the position of those around you is to be aware of the position of yourself and to act accordingly. We cannot be successful in dismantling such an imbalance when so many people are unable to even acknowledge its existence.<sup>22</sup>

Presumably, this student is convinced that students who take this course will be able to "dismantle" this "imbalance" when the course is complete. Contrast this student's statement with the many definitions and goals of Critical Race Theory that I provide throughout this letter,

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<sup>18</sup> YouTube. "FHSD Board Meeting 4/15/21." Approximately 22:24. <https://youtu.be/O4HC9TvqHgQ?t=1324>

<sup>19</sup> Ibid, approximately 1:10:15. <https://youtu.be/O4HC9TvqHgQ?t=4215>

<sup>20</sup> See, for example, Ibram X. Kendi, *Stamped from the Beginning* (New York: Nation Books, 2016.) p. 369-370; Laura March, "These Scholars Have Been Pointing Out Atticus Finch's Racism for Years," *The New Republic*. July 14, 2015. <https://newrepublic.com/article/122295/these-scholars-have-been-pointing-out-atticus-finchs-racism-years>; Michael Macaluso, "Teaching *To Kill a Mockingbird* Today: Coming to Terms With Race, Racism, and America's Novel." *Journal of Adolescent & Adult Literacy*, Vol. 61, No. 3. Nov/Dec 2017, pp. 279-287. <https://www.jstor.org/stable/26631122>.

<sup>21</sup> YouTube. "FHSD Board Meeting 4/15/21." Approximately 27:00. <https://youtu.be/O4HC9TvqHgQ?t=1611>

<sup>22</sup> Ibid. Approximately 34:00. <https://youtu.be/O4HC9TvqHgQ?t=2032>

specifically the first theme of the Oxford definition. She is using a key Critical Race Theory theme to persuade the Board to adopt this course.

The seventh patron commenter, also a student at FHN<sup>23</sup>, reading from a prepared statement, advocates for the Black History and Black Literature courses by stating:

[I]t is undeniable that there are racial dynamics present in almost every social setting. Though not the fault of any individual, we participate in a racialized society... In the status quo, FHSD lacks classes that seek to understand racial dynamics in our history, through multiple facets. There is no other class like that at FHSD. Classes like Black History and Black Literature will fill a gap that was previously present in class options.<sup>24</sup>

This student goes on at length before, to her credit, admitting she has not actually taken the class. Again, contrast this student's comments with the quotes on Critical Race Theory that I give in this letter, specifically the second theme of the Oxford definition. Here we have another FHN student advocating a central theme of Critical Race Theory to urge the Board to adopt these courses.

Admittedly, student comments are not part of the curriculum, but I believe it reasonable to assume, given that all the aforementioned students matriculate at FHN, that their statements were developed in coordination with at least one member of the curriculum development team—how else could they claim to know what these classes were and were not? One might argue, if a member of the Curriculum Committee in any way coached these students with their prepared statements, that the FHSD staff was using the Critical Race Theory framework to do so.

### **Voice-Of-Color Thesis**

Delgado and Stefancic write that an element of Critical Race Theory is:

[T]he notion of a unique voice of color... [T]he voice-of-color thesis holds that because of their different histories and experiences with oppression, black, American Indian, Asian, and Latino writers and thinkers may be able to communicate to their white counterparts matters that whites are unlikely to know. Minority status, in other words, brings with it a presumed competence to speak about race and racism.<sup>25</sup>

This voice-of-color thesis, which is an element of Critical Race Theory, is the entire justification for both the Black History and Black Literature courses. In my view, the voice-of-color thesis by itself is evidence enough for FHSD to acknowledge that Critical Race Theory is the basis for these courses, whether anyone realized it or not. However, if the Board is unconvinced, I will continue with more examples.

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<sup>23</sup> Noteworthy is that all four students that spoke and the counselor were from Francis Howell North.

<sup>24</sup> YouTube. "FHSD Board Meeting 4/15/21." Approximately 38:18. <https://youtu.be/O4HC9TvqHgQ?t=2291>

<sup>25</sup> Richard Delgado and Jean Stefancic, *Critical Race Theory: An Introduction, Third Edition* (New York: New York University Press, 2017.) p. 11.



Before I continue, consider the following statement from Daniel A. Farber and Suzanna Sherry:

Toni Massaro characterizes the goal of the new storytellers, including critical race theorists, as “a hope that certain specific, different, and previously disenfranchised voices . . . will prevail.” According to this view, then, the true voice of color belongs only to a subgroup of people of color who have certain political views... Stephen Carter points out that while most critical race theorists are politically to the left of their academic colleagues, most studies show African Americans to be considerably more conservative than whites on many issues. This suggests that perhaps only a minority of African Americans truly speak with a political voice of color.<sup>26</sup>

The point here, is that the material and books used in this course are, in my view, voices of color, representing an unashamedly politically left view. The courses do not bother to acknowledge the numerous black authors that hold different views of black history and write different literature; be it right leaning, or non-political. In short, to suggest that this material represents “Black” history or “Black” literature is a disservice to students, and intellectually dishonest I would argue; they an element of Black history and Black literature.

### **Black History Course (1516683)**

The Black History Course is described in the FHSD High School Enrollment Guide as follows:

This course will investigate history through the Black perspective and provide students a Black history consciousness. This course will center on Black voices in history and honor their identity as well as their dignity. Students will study historical and contemporary experiences through a Black historical lens to better understand and recognize the accomplishments and achievements of Blacks in shaping this country. This course will allow students to enhance their understanding of history through their exploration and inquiry-based study of Black History. Students will learn the content through the research of primary source documents and critical thinking skills to enhance their understanding of history. Content in this course will help students utilize their critical thinking skills, will be inquiry based, and will include reading, writing, and oral presentation skills to demonstrate understanding of Black History.<sup>27</sup>

Again, contrast this course description with the voice-of-color thesis. Additionally, contrast the course description with the following passage from *The Handbook of Critical Race Theory in Education*:

[T]he handbook situates CRT as an interdisciplinary, intersectional discourse that draws on multiple lines of inquiry as a means to construct critique of race and

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<sup>26</sup> Daniel A. Farber and Suzanna Sherry, “Telling Stories out of School: An Essay on Legal Narratives,” *Critical Race Theory: The Cutting Edge, Third Edition*, edited by Richard Delgado and Jean Stefancic (Philadelphia: Temple University Press, 2013.) p. 714.

<sup>27</sup> “FHSD High School Enrollment Guide: 2021 – 2022.” p. 50.

<https://www.fhdschools.org/common/pages/DisplayFile.aspx?itemId=48689411>

racism that incorporates issues of ethnicity, language, social class, gender, sexuality, and nation.<sup>28</sup>

Nearly all the units in the Black History curriculum make use of “an inquiry lens.” The “inquiry lens” and its use of “compelling questions” is part of the C3 Framework “Inquiry Arc”, or Inquiry Design Model (IDM). The FHSD administration has stated to the Board, on at least two occasions, that the course uses the IDM.<sup>29</sup> LaGarrett King, Ph.D., the District’s consultant hired to help write the Black History curriculum, co-authored an article that states, in part:

With citizenship education as its central mission and with content that allows for examination of past and current injustices, social studies should be a natural home for critical theory and critical pedagogy. The adoption of the C3 Framework and the development of the Inquiry Design Model offer a useful template for implementing a critical social studies pedagogy.<sup>30</sup>

I will assume that all Board members have seen the September 25, 2021, Zoom meeting wherein Dr. King advocates for avoiding politically sensitive terminology<sup>31</sup>. It is reasonable to assume Dr. King recommended the C3 Framework as a “template for implementing a critical social studies pedagogy.” It is quite possible that the curriculum writing team did not even realize what Dr. King was doing; if they did, that is another story entirely.

A strong theme in the curriculum materials is the idea of a dominant culture. This could be Western civilization, Christianity, Europeans, heterosexuals, men (patriarchy), white men, etc. depending on how granular one chooses to think about it. The entire idea of a teaching dominant culture is the third theme of the Oxford Reference material above, which states, again:

[T]he idea that racial relations maintain a white-over-black/brown hierarchy that provides benefits to and profits to elite groups in the majority race and are for that reason difficult to reform.<sup>32</sup>

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<sup>28</sup> Adrienne D. Dixson and Marvin Lynn, “Introduction,” *Handbook of Critical Race Theory in Education*, edited by Marvin Lynn and Adrienne D. Dixson (New York: Routledge, 2013.) p. 4.

<sup>29</sup> See, for example, YouTube. “FHSD Board Meeting 4/15/21.” Approximately 1:10:55 when the Content Leader of the Black History states the course uses “the inquiry design model.”; see also, email from the Chief Academic Officer at FHSD to FHSD Board Members, dated October 16, 2020 at 10:40 AM, Subject Line: *Black History/Literature Course Update*: “The units for the course are being designed using an Inquiry-Based model which is recognized as a best practice for Social Studies curriculum design.”

<sup>30</sup> Ryan M. Crowley and LaGarrett J. King, “Making Inquiry Critical: Examining Power and Inequity in the Classroom,” *Social Education*. 82(1), p. 15.  
[https://sc.edu/study/colleges\\_schools/education/research/units/museum/current\\_programs/change/documents/critical\\_inquiries.pdf](https://sc.edu/study/colleges_schools/education/research/units/museum/current_programs/change/documents/critical_inquiries.pdf)

<sup>31</sup> Complete Zoom meeting: <https://drive.google.com/file/d/1WSrpSodabmElQBQtF7n3vrGYWNY3rFn7/view>

<sup>32</sup> Richard Delgado and Jean Stefancic, “Critical Race Theory” *The Oxford Companion to American Law*, edited by Kermit L. Hall (Norwalk: Easton Press, 2002.) p. 204.

### **Unit 3 of the Black History Curriculum**

Unit 3 of the Black History curriculum states:

What laws and economic policies affected Black wealth and how did they overcome these obstacles?

In this unit, students will explore, research, and synthesize how economic policies and practices have negatively affected Black communities. Within this unit, students will research how policies have affected Black communities and the many strategies that Black communities have utilized in succeeding, resisting, and overcoming these obstacles.

It seems this unit is meant to show only the negative side to laws and economic policies. Why is there is no exploration or research into how laws and economic policies *positively* affected Black communities? Nevertheless, contrast the curriculum language with the following passages. The first of which, written by Cornel West in 1995, then a professor at Harvard University, about the creation of Critical Race Theory.

Critical Race Theory is the most exciting development in contemporary legal studies. This comprehensive movement in thought and life—created primarily, though not exclusively, by progressive intellectuals of color—compels us to confront critically the most explosive issue in American civilization; the historical centrality and complicity of law in upholding white supremacy (and concomitant hierarchies of gender class, and sexual orientation)... Critical Race Theorists have, for the first time, examined the entire edifice of contemporary legal thought and doctrine from the viewpoint of law's role in the construction and maintenance of social domination and subordination.<sup>33</sup>

Later in the same book, Crenshaw, *et. al.* write:

Critical Race Theory embraces a movement of left scholars, most of them scholars of color, situated in law schools, whose work challenges the ways race and racial power are constructed and represented in American legal culture, and more generally, in American society as a whole.<sup>34</sup>

Now ask yourself why there is no mention of how laws and economic policies positively affect Black communities.

Consider the activities in the Unit 3 curriculum, listed below. Remember, the compelling question of this unit is: "What laws and economic policies affected Black wealth and how did they overcome these obstacles?" Now consider the activities associated with this question:

1. *Introduction to Social Structure and Society: Students will learn about social structures and how they influence human interaction.*

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<sup>33</sup> Cornel West, "Introduction," *Critical Race Theory: Key Writing That Formed the Movement*, edited by Kimberlé Crenshaw, *et. al.* (New York: The New Press, 1995.) p. xi.

<sup>34</sup> Kimberlé Crenshaw, *et. al.*, *Critical Race Theory: Key Writing That Formed the Movement* (New York: The New Press, 1995.) p. xiii.

2. *Riots, Reorganization, Role Models Research Activity: Students will identify, research, and present about an important riot that has occurred in history and the consequences of the riot.*
3. *Cultural Practices around the World Project: Students will know the norms, rules, and expectations of different cultures around the world. Students will understand how culture impacts society.*
4. *HealthCare Around the World Activity: Students will explore examples of Healthcare around the world and share their findings with their peers. Students will know about Healthcare examples around the world and compare other healthcare systems with the U.S. System.*

Presumably, in Unit 3, Activity 1 students will learn that capitalism is the economic system responsible for Black wealth (or lack thereof). Slideshow #1 of Unit 3, Activity 1 is titled, "Societal Structure: The formation of Intra-Cultural Identity" and shows societal status and roles before showing a Socialist-created cartoon caricature critical of capitalism from 1911, itself modeled after a 1901 Russian caricature critical of the Russian hierarchy and published by the Union of Russian Socialists. See Figures 1 and 2 on the following page for the caricatures in question.

The slideshow also teaches that there are "socially determined behaviors (or Role Sets) expected of a person with a particular status." To be sure, this is not a compare/contrast exercise. This slideshow has no information to counter the claims it makes; this is propaganda. This slideshow is not promoting Critical Race Theory, it is promoting Marxism. I do not use that term lightly—it is not hyperbole. Many definitions of Marxism abound, but if you have never read Marx, the definition in Wikipedia is a concise summary:

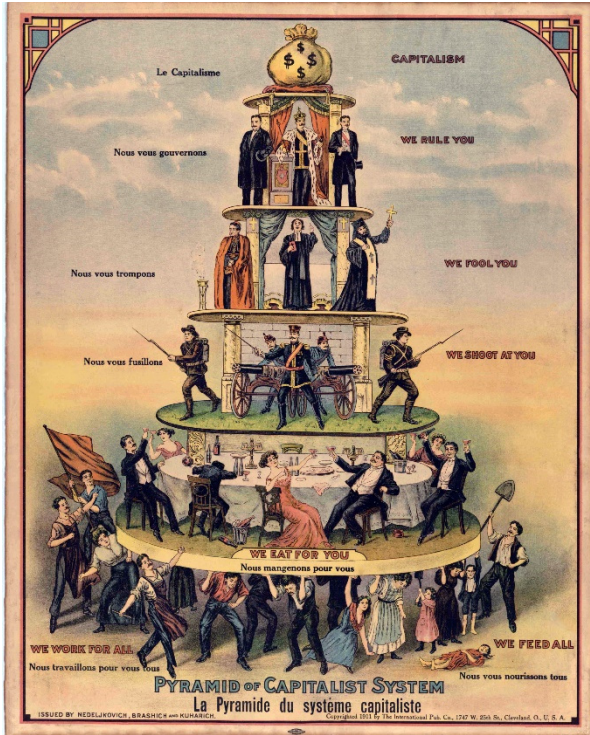
Marxism is a method of socioeconomic analysis that uses a materialist interpretation of historical development, better known as historical materialism, to understand class relations and social conflict as well as a dialectical perspective to view social transformation.<sup>35</sup>

It is common knowledge that the goal of Marxism is to bring about revolution to change capitalist societies into a post-capitalist society (be it communism, socialism, etc.) I hope all members of the Board would agree that these views should *not* be championed in our schools, even if they are elective courses.

Of all the laws that have impacted Black Americans, healthcare was chosen in Activity 4 of Unit 3. I think most would agree that healthcare is an odd choice of a "law" or "economic" policy in this unit. The student assignment in this activity asks students to evaluate healthcare in other countries, then points the students to (only) the website [inequality.org](http://inequality.org) to get them started. No other resources are available for us to view that describes how the instructors will be presenting a history of healthcare in the United States of America, but if the rest of the unit is any indication, the Board should be concerned.

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<sup>35</sup> Wikipedia, "Marxism." Accessed September 18, 2021. <https://en.wikipedia.org/wiki/Marxism>



**Figure 1: "Pyramid of the Capitalist System" Socialist Poster<sup>36</sup>**

This poster is shown to students in page 3 of the Unit 3: Activity #1: Slideshow #1, specifically page 3 titled: Sociological Views of Stratification. The concept is borrowed, almost exactly, from the 1901 version published by the Union of Russian Socialists (See Figure 2.)



**Figure 2: A Political Caricature of Russia's Social Hierarchy**

About three years after the 1897 census the Union of Russian Socialists issued a caricature of Russian society in a clandestine leaflet. At the top of the pyramid the tsar and tsarina are depicted: "We reign over you." Below them are leading representatives of government: "We rule over you," At the third level are the dignitaries of the church: "We brainwash you," The soldiers are at the fourth level: "We shoot at you," At the fifth level are members of the aristocracy in a social gathering: "We eat for you," At the bottom, the people are crushed by the whole superstructure: "We work for you, we feed you," The stanza below reads: "The time will come when the people in their fury will straighten their bent backs and bring down the structure with one mighty push of their shoulders."<sup>37</sup>

<sup>36</sup> Title of this poster ("Pyramid of the Capitalist System" Socialist Poster) per University of Pittsburgh Digital Collections: <https://digital.library.pitt.edu/islandora/object/pitt%3A31735066248802>

Image: public domain. [https://commons.wikimedia.org/wiki/File:Anti-capitalism\\_color%E2%80%9494\\_Restored.png](https://commons.wikimedia.org/wiki/File:Anti-capitalism_color%E2%80%9494_Restored.png)

<sup>37</sup> Image: public domain. [https://commons.wikimedia.org/wiki/File:Capitalist\\_pyramid\\_1900.jpg](https://commons.wikimedia.org/wiki/File:Capitalist_pyramid_1900.jpg)

Caption is a direct quote from: Reinhard Bendix, *Kings or People: Power and the Mandate to Rule* (Berkeley: University of California Press, 1980) p. 540

## **Unit 4 of the Black History Curriculum**

Unit 4 of the Black History Curriculum states:

What historical and modern-day struggles exist for Black people in working toward equity?

In this unit, students will analyze the practices and institutions in our society that inhibit the social, intellectual, economic, and political growth of Black communities. Students will analyze various methods and means that Black communities have resisted and been resilient in working toward equity.

The essential questions for this unit are as follows:

1. How have Black Americans fought for freedom while still oppressed?
2. Is Protest Patriotic?
3. Is healthcare for all?
4. Is education equitable for all?
5. Equity vs. Equality?
6. Was the War on Drugs really about drugs?
7. How have Black communities resisted inequities?
8. How funding is different for HBCUs (Historically Black Colleges and Universities) compared to PWI (Predominantly white institutions)

Again, we see a focus on healthcare, presumably framed as practice or institution that inhibits the social, intellectual, economic, and political growth of Black communities... Recall, once more, that the Board was told this course is *not* social commentary, according to a member of the Black History Curriculum Revision Team at the April 15, 2021, Board meeting.

Activity 2 of Unit 4, titled "Is Protest Patriotic" points students to material prepared by C3 Teachers. This material is part of the Inquiry Design Model. Again, this is the curriculum Dr. King defined as a "useful template for implementing a critical social studies pedagogy."<sup>38</sup>

## **Black History Curriculum: Unit 5**

Before I give my final example of the ties between Critical Race Theory and the Black History Course, consider this passage written by Crenshaw, *et. al.*:

Although Critical Race scholarship differs in object, argument, accent, and emphasis, it is nevertheless unified by two common interests. The first is to understand how a regime of white supremacy and its subordination of people of color have been created and maintained in America, and, in particular, to

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<sup>38</sup> Ryan M. Crowley and LaGarrett J. King, "Making Inquiry Critical: Examining Power and Inequity in the Classroom," *Social Education*. 82(1), p. 15.

[https://sc.edu/study/colleges\\_schools/education/research/units/museum/current\\_programs/change/documents/critical\\_inquiries.pdf](https://sc.edu/study/colleges_schools/education/research/units/museum/current_programs/change/documents/critical_inquiries.pdf)

examine the relationship between that social structure and professed ideas such as “the rule of law” and “equal protection.” The second is a desire not merely to understand the vexed bond between law and racial power, but to change it.<sup>39</sup>

Now consider Activity 2 of Unit 5. This assignment requires students to *take action*, like an activist, in their community to change some perceived injustice that they are supposed to discover.

## **Black Literature Course**

The Black Literature Course is described in the FHSD High School Enrollment Guide as follows:

This course will focus on multi-genre literary works of Black authors and will celebrate the dignity and identity of Black voices. Students will examine the significance of this literary tradition and how it shapes the reader’s understanding of society and self. Through the exploration of Black Literature with close readings of selected literary works, students will enhance and increase their development of literary and analytical skills while exploring the cultural identity of themselves and others. This course will include various genres of writing in response to the literary works. In addition, students will engage in research, speaking, listening and presenting in order to develop a deeper understanding of society and the need for change. Throughout this course, students will grow as public speakers and presenters of information.<sup>40</sup>

“[S]tudents will engage in research, speaking, listening and presenting in order to develop a deeper understanding of society and the need for change.” Recall Crenshaw’s second “common interest among Critical Race Theory scholars, “a desire not merely to understand the vexed bond between law and racial power, but to change it.”<sup>41</sup> Also, recall the voice-of-color thesis that is an element of Critical Race Theory.

## **Intersectionality**

The Course Rationale on Page 2 of the curriculum states, in part, “[s]tudents will explore identity and intersectionality...” In Unit 3, Suggested Activity 3, students are shown a document titled “Identity & Intersectionality: Reference Journal” and given guiding questions about intersectionality.

Teaching “intersectionality” is teaching one of the tenets of Critical Race Theory.

The concept of “intersectionality” was created with Kimberlé Crenshaw’s paper titled, “Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color.” This paper is included in the book, *Critical Race Theory: Key Writings that Formed the Movement*,

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<sup>39</sup> Kimberlé Crenshaw, et. al., *Critical Race Theory: Key Writing That Formed the Movement* (New York: The New Press, 1995) p. xiii.

<sup>40</sup> “FHSD High School Enrollment Guide: 2021 – 2022.” p. 12.  
<https://www.fhdschools.org/common/pages/DisplayFile.aspx?itemId=48689411>

<sup>41</sup> Kimberlé Crenshaw, et. al., *Critical Race Theory: Key Writing That Formed the Movement* (New York: The New Press, 1995) p. xiii. (Underline added.)

specifically in Part 6 titled "Intersection of Race and Gender"<sup>42</sup>. Delgado and Stefancic note that "intersectionality" is part of the idea of differential racialization<sup>43</sup>, which is the fifth theme of Critical Race Theory in the Oxford definition above. Still more, the *Handbook of Critical Race Theory in Education* tells us that "intersectionality" is a key conceptual and methodological domain within Critical Race Theory<sup>44</sup>.

### **Critical Race Theory Books**

The Institute for Racial Justice Research & Advocacy (raceandlaw.org) has published a list of recommended "Critical Race Theory Books."<sup>45</sup> To be sure, this organization promotes Critical Race Theory; it is not a detractor. At the top of their list, you will find the book *Stamped from the Beginning: The Definitive History of Racist Ideas in America* by Ibram X. Kendi. Recall, that the Board was told via email on October 16, 2020, that "[t]he [Black History] curriculum writing team is reading *Stamped* by Jason Reynolds as a professional learning opportunity..." *Stamped* is described on its title page as "A REMIX of the National Book Award-winning *Stamped from the Beginning*," and, as mentioned, tops raceandlaw.org list of Critical Race Theory Books. *Stamped* is a more-accessible, 320-page version of Kendi's 500+ page treatise on the history of racist ideas; the curriculum writing team used it as "professional development" to prepare them to write these course curricula.

Second on the list, *How to Be an Antiracist*, also authored by Ibram X. Kendi, is recommended to students in the aforementioned "Identity & Intersectionality: Reference Journal" slideshow in Unit 3 of the Black Literature Course curriculum documentation. I do not believe it is coincidental that a slideshow about intersectionality would recommend the number two book on the raceandlaw.org list of Critical Race Theory Books.

Third on the list is *The Fire Next Time* by James Baldwin, which was published in 1963. Although published well before the genesis of the Critical Race Theory movement, I suppose its place as number three on the list speaks to just how much of a true visionary Baldwin was—well ahead of his time! Coincidentally though, the Black Literature Course gives students the option to read the book *The Fire This Time*, which is a collection of essays compiled by Jesmyn Ward. The title is no coincidence; this book is paying homage to Baldwin's widely read 1963 work—it makes several mentions of Baldwin's book in its introduction. The Board approved the purchase of 18 copies of this book for student use in the Black Literature Course at the July 2021 Board Meeting.

Number 23 on the list of 31 recommended books is *Between the World and Me*, by Ta-Nehisi Coates. This book is also one of the book options for students in the Black Literature course. The Board approved the purchase of 45 copies of this book at the July 2021 Board meeting.

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<sup>42</sup> Kimberlé Crenshaw, et. al., *Critical Race Theory: Key Writing That Formed the Movement* (New York: The New Press, 1995) p. 357

<sup>43</sup> Richard Delgado and Jean Stefancic, *Critical Race Theory: An Introduction, Third Edition* (New York: New York University Press, 2017.) p. 10.

<sup>44</sup> Adrienne D. Dixson and Marvin Lynn, "Introduction," *Handbook of Critical Race Theory in Education*, edited by Marvin Lynn and Adrienne D. Dixson (New York: Routledge, 2013.) p. 4.

<sup>45</sup> The Institute for Racial Justice Research & Advocacy, "Critical Race Theory Books." <https://www.raceandlaw.org/critical-race-theory-books>; Accessed October 6, 2021.



In case their titles alone left any doubt, the list also contains many of the books I have referenced and cited the footnotes to this letter. Here is yet another instance of what I hope is obvious by now—that Critical Race Theory was used in the development of the BHBL courses and is being disseminated through the materials and books given to students.

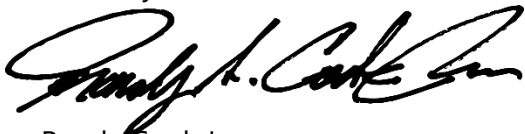
### **Requested Board Action**

I have tried not to clutter this letter with arguments for or against the Critical Race Theory pedagogy; that is another discussion entirely, and I am ready to have that discussion when the time comes. Additionally, you may have noticed that many themes of Critical Race Theory have become mainstream beliefs in much of popular culture today (an achievement of the critical race theorists, no doubt). This does not dismiss the fact that these ideas are Critical Race Theory, regardless of whether they are widely held beliefs among many in society. I ask that the Board acknowledge, publicly, that these courses are applying Critical Race Theory pedagogy, and take action to suspend the courses at the end of the fall 2021 semester, until the curriculum is overhauled, or the courses are eliminated altogether. I firmly believe that we can only get to the root of the community concern if the Board is honest with what FHSD is teaching, and then have input on that—namely Critical Race Theory and the effort to overhaul K-12 curriculum with diversity, inclusion, and equity at its core.

I also ask that the Board acknowledge that the official framework for BHBL courses use an unapproved standard.

Finally, I ask the Board to acknowledge that its approval of the BHBL courses during the Consent Agenda of the July 15, 2021, board meeting was in violation of its rules.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy Cook Jr.", written in a cursive style.

Randy Cook Jr.

cc. Dr. Nathan Hoven, Superintendent, via email to: [Nathan.Hoven@fhdschools.org](mailto:Nathan.Hoven@fhdschools.org)  
Representative John Wiemann, via email to: [John.Wiemann@house.mo.gov](mailto:John.Wiemann@house.mo.gov)  
Senator Bill Eigel, via email to: [Bill.Eigel@senate.mo.gov](mailto:Bill.Eigel@senate.mo.gov)

Enclosures.