

Testimony of Tamara Seyler-James (Private Citizen)

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**The Influence of Critical Race Theory in K-12 Professional Development, Curriculum Standards, and Classroom Instruction in Select Kansas School Districts
House Committee on K-12 Education Budget
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Chairperson Williams, Vice Chairperson Hoffman, Ranking Member Winn, and members of the Committee:

My name is Tamara Seyler-James. I am a parent in the Blue Valley School District, and I am grateful for the opportunity to speak to you today to share what I have learned about the impact of Critical Race Theory on our schools.

We have been told by our Kansas Department of Education¹; a member of the state Board of Education², major Kansas news outlets³⁴, and even my own Blue Valley School District⁵, that Critical Race Theory is taught in graduate schools and is used primarily in law schools, and has no bearing on elementary or secondary schools.

In other words: “Move along. Nothing to see here.”

My goal today is to demonstrate that – on the contrary – there is plenty to see in our Kansas schools, both in professional development and in the classroom.

Outside observers have long known there is something unique about the United States. One hundred years ago, the English writer G.K. Chesterton visited America and wrote of the Declaration of Independence that “America is the only nation in the world that is founded on a creed.”⁶ It’s a creed of liberty, equality, and justice for all.

This nation never has been, and never will be perfect, but our constitutional order contains the mechanisms for societal improvement. The United States remains a beacon of hope to people from around the world, who continue to migrate here by the millions.⁷ And even in Kansas, more than one hundred languages are spoken among the state’s schoolchildren, because their parents came here for a better life.⁸

If the American idea is quasi-religious in origin, it is fair to say a *counter-religion* called “Critical Theory” opposes it. “Critical” thinkers want to disrupt what exists, rather than working within systems for societal improvement, because they view those systems as irremediably flawed.⁹

And Critical *Race* Theory, a primarily *American* application of Critical Theory, puts race at the center of its worldview.¹⁰

Just as the United States has Founding Fathers – and Mothers¹¹ -- Critical Race Theory also has its Founding Fathers and Mothers¹². Initially, they were law school professors, among them:

- The late Derrick Bell of Harvard Law School;
- Bell’s protégée Kimberlé Crenshaw, now at UCLA and Columbia, who coined the term “Critical Race Theory”;
- and Richard Delgado, now at Alabama.

But please don't think this proves CRT is merely graduate-level legal theory. Here are the words of the same Richard Delgado, speaking of himself and his wife (and co-author) Jean Stefancic:

Seeing critical race theory take off in education has been a source of great satisfaction for the two of us. ***Critical race theory is in some ways livelier in education right now than it is in law***.¹³

Delgado made these comments more than a decade ago. And he's not wrong. CRT did begin in law schools, but its second wave of thinkers includes:

- Gloria Ladson-Billings, Professor (now Emerita) of *Education* at the University of Wisconsin – Madison;
- Robin DiAngelo (author of the best-selling book *White Fragility*), Affiliate Associate Professor at the University of Washington College of *Education*; and
- Barbara Applebaum (author of *Being White, Being Good: White Complicity, White Moral Responsibility, and Social Justice Pedagogy*), Professor at Syracuse University School of *Education*.

Therefore, to say CRT “is used largely in law schools”¹⁴ is demonstrably false.

So, what is Critical Race Theory? Delgado and Stefancic in *Critical Race Theory: An Introduction* say CRT seeks to “transform[] the relationship among race, racism, and power.”¹⁵

And, further, taking aim at our constitutional order, that,

Unlike traditional civil rights discourse, which stresses incrementalism and step-by-step progress, critical race theory questions the very foundations of the liberal order, including equality theory, legal reasoning, Enlightenment rationalism, and neutral principles of constitutional law.¹⁶

Major CRT themes include “White privilege”¹⁷ and white collective guilt; the idea that “racism is pervasive, systemic, and deeply ingrained”¹⁸. CRT emphasizes *identity* and *intersectionality* (the latter term defined as “the examination of race, sex, class, national origin, and sexual orientation and how their combinations play out in various settings”¹⁹); *thoughts and feelings*; *unconscious discrimination*, *stereotype threat*, *implicit associations*, and the use of *personal narratives*.²⁰

These themes and terms recur wherever CRT exerts influence – including in our Kansas K-12 schools, as we shall see.

So-called “systemic racism” and collective white guilt are the entire premise of Robin DiAngelo’s book *White Fragility*, where she writes of our children that, “A racism-free upbringing is not possible, because racism is a social system embedded in the culture and its institutions.”²¹

Perhaps no author is more prominent today than Dr. Ibram X. Kendi, the author of several books, including the bestseller *How to Be an Antiracist*, and the children’s picture book, *Antiracist Baby*. According to Kendi, “any measure that produces or sustains racial inequity between racial groups” is a “racist policy”. Further, he believes “[t]here is no such thing as a nonracist or race-neutral policy.”²² He also has no ethical difficulty with “discrimination” if it yields the “equity” – that is, the equal outcomes –

he seeks.²³ Kendi and his definition of “Antiracism” loom large both in popular culture and in education circles.

Against this general backdrop, we can recognize the inroads Critical Race Theory has made into public K-12 education in Kansas.

First, professional development.

In 2019, the Shawnee Mission School District hired a Coordinator of Diversity, Equity and Inclusion and launched the “Deep Equity” professional development program.²⁴ The five phases of Deep Equity²⁵ incorporate all the major themes of Critical Race Theory. For example, Phase Two is described as “particularly important for white folks, who often do not see themselves as racial or cultural beings. . . even if [their stories] involve periods of ignorance, bias, or dis-consciousness[.]”²⁶ Phase Two activities require faculty and staff to label themselves according to identity categories, then pretend they live in a police state where they must suppress part of their identity in order to “[c]reate awareness of the ways that power, privilege, and oppression can impact personal identity”²⁷. In Phase Three, the training manual says, “the system of social dominance and privilege that was established by the founding fathers, and perpetuated over the centuries, is still living with us in our classrooms.”²⁸ A Phase Three activity called “The Guessing Game” has as its “[p]urpose [to]: . . . Examine school culture and outcomes *through the lens of privilege, power, and social dominance*. . . [and] Acknowledge the deeper dynamics of privilege and power that have created and perpetuated educational inequities”²⁹.

Deep Equity also has a program for students, called “Youth Equity Stewardship,” or “YES.” YES applies the same principles as Deep Equity and is scheduled to begin training children some time this year.

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In 2019, the Olathe Public Schools established a Department of Diversity and Engagement.³⁰ That same year the district promoted an “interactive” “critical conversations” workshop for teachers, run by the “Teaching Tolerance” project of the Southern Poverty Law Center.³¹ Participants would, among other things, “explore strategies for facilitating critical conversations with students and colleagues..., investigate methods of teaching about implicit bias, race and other critical topics”.

“Teaching Tolerance” has since been rebranded as “Learning for Justice”. The Spring 2021 “Learning for Justice” magazine website states that “We know white supremacy is woven into the fabric of American culture and society. It’s also woven into our education system.”³²

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From late 2018 to September 2020, Blue Valley implemented its all-personnel training relating “to diversity and specifically implicit bias.”³³

By the summer of 2020, Blue Valley had created a Diversity, Equity and Inclusion Board Advisory Committee.

Teachers received a list of “Diversity, Equity, Inclusion, & Anti-Racism Resources”³⁴ that included such items as the “ASPEN Institute Structural Racism Glossary”³⁵, which, for example, applies a “structural racism” filter to the “national values” of the United States, and claims the “national values [of] ‘personal

responsibility' and 'individualism'" have "allowed structural racism to exist in ways that are hard to detect."

Other links provided to teachers include the "Teaching Tolerance" article "Anti-Racist Work in Schools – Are You in it for the Long Haul?"³⁶; and one entitled "How Dr. Kendi's Definition of Antiracism Applies to Schools".

Professional development during the 20-21 school year included sessions on "identity," "unconscious bias/implicit bias", "microaggressions," "intersectionality," and "culturally responsive classrooms."³⁷

Also during the 20-21 school year, teachers at a Blue Valley middle school received building-wide DEI training and a 57-page workbook³⁸ that included definitions of the "dominant culture"; "intersectionality"; "white privilege"; the statement that "America is a racist country and is built on racist ideals"; and "[t]he newest movement we should all shift towards is antiracism."

Finally, in August of 2021, while on a video chat with other Superintendents from the Kansas City area, Blue Valley's Superintendent stated that the District is "intentionally" trying to "insert the DEI work in everything we do, so when you rewrite curriculum, are you intentionally inserting diversity, equity, and inclusion in there".³⁹

Which takes us from professional development to curriculum and the classroom.

During the summer of 2020, Blue Valley pulled the novels *Of Mice and Men*, *To Kill a Mockingbird*, *The Adventures of Tom Sawyer*, and *The Adventures of Huckleberry Finn* from the curriculum "due to racial concerns" and in a stated effort "to improve equity inclusion."⁴⁰

Consistent with Critical Theory, the Blue Valley English Language Arts curriculum standards focus on concepts of identity; systems; bias; power; and activism. Of the eight courses listed on the district website, all but three require classroom instruction to have students focus on their "identity."

For example, for 9th graders, Unit 1 is "Personal Identity". Standards include, "Why is personal identity important? In Unit 2, "The Individual and the Community," teachers are to have students ask, "How does community influence identity?"; have students understand "how identity is shaped by the community"; "how individuals influence the identity of their community" and ask, "[w]hat systems are in place that capture our identity?" In Unit 3, Honors students move on to interrogating biases: "How do students consider and evaluate their personal bias? [And] How did students adapt their research process or product after recognizing and considering their personal biases?" 9th grade English concludes with activism and power dynamics: "How can students use their research to compel their audience to take a course of action? [And] How is communication a form of power?"

10th Grade English curriculum standards are even more explicitly Critical Theory-inflected, with a relentless focus, not only on "identity," but on "bias" and social activism. Thus, in a unit entitled, "Conscientious Objections," students are asked whether "societal issues" become "[their] responsibility"; must determine how to "identify bias", and for honors students, how to "differentiate between implicit and explicit bias"; and must ask "How can my empathy lead to action?"

By 11th Grade, students are not only engaging with "identity" but also prioritizing "personal narrative", asking, for example, "How can crafting your story reflect personal identity?" These high school juniors conclude their English studies by "identify[ing] an issue or problem", "develop[ing] their own steps to a

solution” and “utiliz[ing] specific and purposeful choices in language and presentation to create a call for action.”

My questions about these standards are:

- How is my child’s “identity” any of the government’s business?
- What exactly does Blue Valley mean by “bias,” and who is the arbiter of what constitutes bias? Bias is a loaded word. Are the values of my home “bias”? And,
- Is it the government’s place to turn children into activists?

I have seen these standards at work in my child’s classroom. Before *To Kill a Mockingbird* was pulled from the curriculum, students were assigned several supplemental readings as they studied that novel alongside *Twelve Angry Men*, two fictional texts set in the pre-civil rights era.

The unit was dubbed the “Implicit Bias Unit.”

When I asked my child’s teacher why the class included an “Implicit Bias Unit,” the teacher replied in part that “students need to have an understanding of implicit bias, stereotypes, and racism in both American history and in the present day to be able to interpret these literary works.”⁴¹

The “Implicit Bias” readings included four essays written by teenagers and published by the New York Times’ “Race/Related” newsletter, in response to the prompt, “What is your earliest experience dealing with race?”⁴² Though other points of view were available to choose from⁴³, the four essays selected by the Times were all by non-white young people, each recounting a negative encounter with a white person.

Unfortunately, by choosing to highlight only white racism, the school missed an opportunity to teach students that prejudice and discrimination are *human* failings that transcend all categories of identity.

By highlighting the influence of CRT in Shawnee Mission, Olathe, and Blue Valley, I have touched on a mere one-percent of Kansas’ 286 school districts, impacting 15-percent of its students. I have no doubt that close inspection would reveal its influence in schools throughout the state of Kansas.

I thank you for this opportunity to testify today. I will stand for questions from the Committee.

¹ <https://www.ksde.org/Home/Quick-Links/News-Room/kansas-state-board-of-education-response-to-critical-race-theory-claims-1>

² See “TESTIMONY ON CRITICAL RACE THEORY IN CLASSROOMS” by Ann E. Mah, Member, Kansas Board of Education, District 4.

http://www.kslegislature.org/li/b2021_22/committees/ctte_spc_2021_on_education_1/documents/testimony/20211201_34.pdf

³ Andrew Bahl, “Critical race theory, school choice loom large over Kansas lawmakers. Can common ground be reached?”, *The Topeka Capital-Journal*, January 4, 2022.

<https://www.cjonline.com/story/news/education/2022/01/05/critical-race-theory-crt-school-choice-debate-kansas-officials-common-ground/8893750002/>

⁴ Katie Bernard, “Kelly calls complaints about critical race theory in Kansas schools a ‘nothing burger’”, *The Wichita Eagle*, December 21, 2021.

<https://www.kansas.com/news/politics-government/article256738357.html#storylink=cpy>

⁵ <https://www.bluevalleyk12.org/Page/35892>

⁶ G.K. Chesterton, *What I Saw in America*, (London: Hodder and Stoughton Limited, 1922), 7 Kindle.

⁷ See, e.g., United States Department of Homeland Security 2019 Yearbook of Immigration Statistics.

<https://www.dhs.gov/immigration-statistics/yearbook/2019#>

⁸ Scott Evans, “119 languages spoken in the homes of students in the Wichita School District”, October 6, 2016.

<https://www.kwch.com/content/news/119-languages-spoken-in-the-homes-of-students-in-the-Wichita-School-District-396193031.html>

⁹ It’s a worldview that embraces conflict, fosters envy and impatience – and, in some instances, seeks revolution. The “critical” goal [is] to make the problems inherent in ‘the system’ more visible to the people allegedly oppressed by it—however happily they might be living their lives within it—until they come to detest it and seek a revolution against it.” Helen Pluckrose and James Lindsay, *Cynical Theories: How Activist Scholarship Made Everything About Race, Gender, and Identity—and Why This Harms Everybody* (Durham, NC: Pitchstone Publishing, 2020), 272 n.1.

¹⁰ Columbia University professor John McWhorter characterizes CRT, and the entire “woke” movement of which it is a part, as a *religion*, and one that brooks no dissent:

America’s sense of what it is to be intellectual, moral, or artistic, what it is to educate a child, what it is to foster justice, what it is to express oneself properly, and what it is to be a nation is being refounded upon a religion. This is directly antithetical to the very foundations of the American experiment.

John McWhorter, *Woke Racism: How a New Religion Has Betrayed Black America* (New York: Portfolio/Penguin, 2021), 58 (italics omitted). So, while the Pilgrims of yore fled a stifling religious orthodoxy some five hundred years ago, a new, stifling quasi-religious orthodoxy – albeit, one without a deity – is now ascendant.

¹¹ These include Abigail Adams, Martha Washington, Phyllis Wheatley, Deborah Sampson, and others.

<https://womensmuseum.wordpress.com/2016/05/04/8-founding-mothers-of-the-united-states/>

¹² <https://thechalkboardreview.com/crt-toolkit/#scholars>

¹³ Richard Delgado & Jean Stefancic, *Living History Interview with Richard Delgado & Jean Stefancic*, 19 TRANSNAT’L L. & CONTEMP. PROBS 221 (2011) (emphasis added).

¹⁴ Op. cit. Mah Testimony, Dec. 1, 2021.

¹⁵ Richard Delgado & Jean Stefancic, *Critical Race Theory: An Introduction*, 3rd edition (New York University Press, 2017), 3.

¹⁶ Ibid.

¹⁷ Ibid., 89 (White privilege is “the myriad of social advantages, benefits, and courtesies that come with being a member of the dominant race.”).

¹⁸ Ibid., 91.

¹⁹ Gloria Ladson-Billings, “Critical Race Theory – What It Is Not!,” in *Handbook of Critical Race Theory in Education*, eds. M. Lynn & A.D. Dixon (ProQuest Ebook Central, 2013), 35, 39 (quoting Delgado & Stefancic 2001, p. 51).

²⁰ Op. Cit. Delgado & Stefancic, 44-54, 140.

²¹ Robin DiAngelo, *White Fragility: Why It’s So Hard for White People to Talk About Racism* (Boston, MA: Beacon Press, 2018), 83.

²² Ibram X. Kendi, *How to Be an Antiracist* (New York: One World, 2019), 18.

²³ Ibid., 19.

²⁴ Minutes of the April 19, 2019, Shawnee Mission Board of Education meeting approving the contract with Corwin Publishing are available at smsd.org.

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- ²⁵ Gary R. Howard, *We Can't Lead Where We Won't Go: An Educator's Guide to Equity*, (Thousand Oaks, CA: Corwin, 2014).
- ²⁶ Ibid., p. 6.
- ²⁷ Ibid, p. 59.
- ²⁸ Ibid., p. 98.
- ²⁹ Ibid, p.102.
- ³⁰ Olathe School News (Fall 2020), p. 6.
- ³¹ https://sites.google.com/students.olatheschools.com/aimforexcellenceaugust28/everyone-read#h.p_Lyns8th6KrXf
- ³² <https://www.learningforjustice.org/magazine/spring-2021>
- ³³ <https://www.bluevalleyk12.org/cms/lib/ks02212623/Centricity/domain/4487/diversity/Diversity%20and%20Implicit%20Bias%20Training%20Records.pdf>
- ³⁴ List obtained by witness from a Blue Valley teacher.
- ³⁵ <https://www.aspeninstitute.org/wp-content/uploads/files/content/docs/rcc/RCC-Structural-Racism-Glossary.pdf>
- ³⁶ Elizabeth Kleinrock, "Anti-Racist Work in Schools – Are You in it for the Long Haul?", June 30, 2020, <https://www.learningforjustice.org/magazine/antiracist-work-in-schools-are-you-in-it-for-the-long-haul>
- ³⁷ <https://www.bluevalleyk12.org/cms/lib/ks02212623/Centricity/domain/4487/diversity/Diversity%20PLEs%2020-2021%20.pdf>
- ³⁸ PDF copy obtained by witness.
- ³⁹ <https://www.youtube.com/watch?v=oiu4KdvaUfY>
- ⁴⁰ Bella Rinne, "Blue Valley removes four books from course curriculum due to racial concerns", BVNWNNews, September 25, 2020. <https://bvnwnnews.com/news/2020/09/25/blue-valley-removes-four-books-from-course-curriculum-due-to-racial-concerns/>
- ⁴¹ Drawn from personal email correspondence with the instructor.
- ⁴² <https://www.nytimes.com/2017/08/02/us/first-encounters-with-racism.html>
- ⁴³ According to the Times, it had "partnered ... with [Youth Radio](#), an award-winning news network based in Oakland, Calif., to ask that question of teenagers from across the country." Ibid. Also available from Youth Radio at that time, but not included either in the Times newsletter, or in the "Implicit Bias Unit," was the essay "Am I Black Enough to Go to an HBCU?", wherein a mixed-race girl writes about experiencing discrimination from her black peers when she transfers from a majority-white to a more diverse school. <https://yr.media/identity/am-i-black-enough-to-go-to-an-hbcu/>