

## Schools' critical race theory plans could violate the Constitution, state laws, says watchdog group



A man holds up a sign against Critical Race Theory during a protest outside a Washoe County School District board meeting on May 25, 2021, in Reno, Nev. Nevada school boards are becoming hotbeds of political polarization where parents are ... [more >](#)

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By [James Varney](#) - The Washington Times - Tuesday, June 29, 2021

Newly released documents show a series of critical race theory initiatives in K-12 public schools that critics say could run afoul of the 14th Amendment and various state laws.

In Massachusetts, the Wellesley Public Schools system was already reeling under controversy for a series of events tied to “diversity, equity and inclusion” when a conservative watchdog group announced it had obtained records showing that schools use “affinity spaces that divide students and staff based on race.”

Such exclusive separations could run afoul of the 14th Amendment’s equal protection clause and state laws on equal rights and school attendance, according to Judicial Watch. The watchdog said it obtained the documents through a public records request.

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“Much of what passes for critical race theory is in violation of existing federal and state laws,” Judicial Watch President Tom Fitton said. “This is outright segregation being promoted in Wellesley Public Schools.”

The school system’s diversity, equity and inclusion department, which reportedly supervised affinity spaces five times from September through May, did not respond to requests for comment about its policy or the Judicial Watch report.

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Judicial Watch is one of several watchdogs focusing on the rapid spread of critical race theory in the nation’s K-12 schools.

Critical race theorists say the United States is riddled with racism and argue that the fix will require an “anti-racist” approach that discriminates against groups that traditionally have been powerful.

Opponents find an overlap between critical race theory and Marxist frameworks. The approach, they say, substitutes race for social class and posits a revolutionary evolution between the oppressors and the oppressed.

The problematic “affinity spaces” at Wellesley schools appear to align with an “equity tool kit” that paints a troubling picture of the American environment.

“The reality of the current national climate illustrates that there remains significant threats to the ability of schools to cultivate and sustain learning communities that are safe and supportive for all students,” the tool kit says. “Prejudice, bias, hate and discrimination remain threats that require our vigilance and persistence to ensure that our core values are adhered to, and our mission is realized. This is our work. Stand with us.”

The “affinity spaces” were specifically designed “for specialized populations within the wider Faculty/Staff (ie. ALANA, Admin Leaders of Color, LGBTQ+, White Educators for Antiracism, etc.),” according to a quote from one of the documents obtained.

When a faculty member asked in a March email to use the space, Charmie R. Curry, who heads [Wellesley](#) Public Schools’ division of diversity, equity and inclusion, replied: “This time, we want to hold the space for Asian and Asian-American students and faculty/staff. I hope this makes sense.”

Judicial Watch's latest revelation is one of scores uncovered nationwide by a host of groups opposed to critical race theory in K-12 public and charter schools. Several state legislatures have moved to bar the policies from their classrooms.

Judicial Watch also mentioned documents it obtained from Maryland's Montgomery County Public Schools and its "anti-racism system audit."

As part of that, students at Thomas W. Pyle Middle School in Bethesda were taught that the phrase "Make America Great Again," a campaign slogan of former President Donald Trump, is an example of "covert White supremacy."

The students were given a pyramid of White supremacist elements that put the political slogan "just below 'lynching,' 'hate crimes,' 'the N-word,' and 'racial slurs,'" Judicial Watch reported.

That pyramid mirrors the one that teachers distributed to students during a mandatory training session in Iowa, according to multiple documents published on social media last week, Mr. Fitton said.

Iowa school officials have not denied the authenticity of documents showing that the critical race theory definition they employ specifically pinpoints opposition to extant American principles.

"Unlike traditional civil rights which embraces 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 principles of constitutional law," reads the definition provided in Iowa's Mississippi Bend Area Education Agency.

Iowa Gov. Kim Reynolds, a Republican, signed a bill this month that bans critical race theory from classrooms in the state effective Thursday. She said the teaching is "indoctrination, not education."

The Mississippi Bend Area Education Agency apologized this week. It said the material was not "properly vetted" before its limited presentation at an internal departmental meeting.

"At no time were teachers or students provided this information, and they would not have been given access to the presentation in the future," Whitney Smith-Bringolf, the agency's communications chief, told The Washington Times. "As an organization, we deeply regret that some of the content was not properly sourced and was unnecessarily political. We sincerely apologize for this misstep. Rest assured, this presentation will no longer be used, nor would it have been approved if it had gone through appropriate channels."