

## **SB 5044, 5227, 5228, to require mandatory staff attendance at Critical Race Training in Washington’s K-12 public schools, colleges, universities, and medical schools**

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March 2021

### **Key Findings**

- 1. Lawmakers are considering three bills to impose Critical Race Training on Washington’s public education institutions.**
- 2. Much of the Critical Race Training curriculum required by these bills is untrue, false, and destructive.**
- 3. Critical Race Trainings require people to publicly profess their racial and sexual identities, and then be labeled as either “oppressors” or “oppressed.”**
- 4. According to Critical Race Training, all white heterosexual men are “oppressors” and certain minority groups are “oppressed.”**
- 5. These bills violate Washington’s Civil Rights Act, the federal Civil Rights Act of 1964, and the Washington State and U.S. Constitution.**
- 6. The bills violate workers’ First Amendment rights by compelling speech or by suppressing their legitimate views and opinions.**
- 7. Critical Race Training undermines the friendship and trust that make a caring and tolerant society possible and would make the problem of racism worse.**

### **Introduction**

Lawmakers are considering bills to mandate Critical Race Trainings; SB 5044, for staff of K-12 public schools, SB 5227, for staff of public colleges and universities, and SB 5228, for students at Washington’s public medical schools. In addition, SB 5228 would establish illegal quotas for admission to medical school based on race.

At public hearings, lawmakers received the following analysis about these bills.

- Prominent black, Hispanic, and Jewish leaders are speaking out against this racial training curriculum as harmful to their children.<sup>1</sup>
- The bills violate the Washington Civil Rights Act, which provides: “The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.”
- The bills violate the federal Civil Rights Act of 1964, and the 14th Amendment’s guarantee of “equal protection of the laws” to all citizens, regardless of race, ethnicity or national origin.
- The bills violate workers’ First Amendment rights by compelling speech in mandatory training sessions, or by suppressing their legitimate views and opinions.
- The bills would create hostile work environments in Washington’s public schools, public universities, and public medical schools.
- The bills would promote feelings of fear, alienation, and rejection in students and teachers because official policy would judge them based on appearance rather than their work experience or abilities.

<sup>1</sup> See for example Robert Woodson, President of the Woodson Center, Glenn Loury, Professor of Economics at Brown University, John McWhorter, Assistant Professor of English at Columbia University, Bion Bartning, President of the Foundation Against Intolerance and Racism, and Mike Gonzalez, Senior Fellow at the Heritage Foundation.

Enacting a government policy of judging others by their appearance will likely lead to more conflict and legal challenges in the state's public education system.

## Critical Race Training

The purpose of Critical Race Training is to divide people into oppressors and victims, based on their race, gender, sexuality, and religion. The curriculum lists the institutions in society allegedly responsible for creating oppression: families, religions, schools, the economy, and government.

The bills provide training that all white heterosexual men are "oppressors" and certain minority groups are "oppressed." In particular, Critical Race Training has attacked Jews as privileged, and part of this system of alleged oppression, and by belittling their experience as victims of the Holocaust.<sup>2</sup>

People required to attend Critical Race Training are required to publicly profess their race identities, and then be labeled as either "oppressors" or "oppressed."<sup>3</sup> No account is taken of people of mixed ethnicity or those who don't want to be labeled based on government policy.

Critical Race Training includes messages that are hostile to capitalism, claiming capitalism is part of this "system of oppression." Families and religion are also condemned. Race trainers tell students they must "undo and unlearn" what they were taught by "institutions of oppression."<sup>4</sup>

## Policy analysis

Much of the curriculum required by Critical Race Training is untrue, false, and destructive. Critical Race Training does not eliminate racism. It does, however, tend to divide society, create suspicion among students and co-workers, lower educator morale, create threats and hostility in the workplace, and make the problem of racism worse.

What is most problematic, though, is that Critical Race Training violates core civil rights protections and undermines friendship and trust that make a caring and tolerant society possible.

## Conclusion

Analysis and the experience of other states show that SB 5044, SB 5227, and SB 5228 would not reduce racial tensions nor calm people's fear of threats, bullying, or being canceled. Instead, the bills would impose a harmful ideology on students that would violate core civil rights protections against hate, inequality, and workplace discrimination.

Using government power to require explicitly race-based trainings with this curriculum will not improve society, but will create suspicion, lower educator morale, and make matters worse.

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*Nothing here should be construed as an attempt to aid or hinder the passage of any legislation before any legislative body.*

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- 2 "Critical Race Theory's Anti-Semitism Problem," by Ellie Krasne, *The Daily Signal*, March 12, 2021, at <https://www.dailysignal.com/2021/03/12/critical-race-theorys-anti-semitism-problem/>.
- 3 "Sociology of Change," Democracy Prep Charter School, Agassi Campus, exhibit *Clark v. State Public Charter School Authority, Democracy Prep Charter Schools, et al*, U.S. District Court, District of Nevada, December 22, 2020.
- 4 Ibid.