

RESOLUTION 21-27A

RESOLUTION OF THE BOARD OF TRUSTEES OF THE PASO ROBLES JOINT UNIFIED SCHOOL DISTRICT PROHIBITING THE TEACHING OF CRITICAL RACE THEORY

WHEREAS, racism has no place in American society and especially not in the Paso Robles Joint Unified School District ("PRJUSD" or the "District");

WHEREAS, the PRJUSD condemns racism and will not tolerate racism and racist conduct (see, Board Resolution 21-20 dated March 23, 2021);

WHEREAS, Critical Race Theory ("CRT") is an ideology based on false assumptions about the United States of America and its population;

WHEREAS, the definitional foundation of Critical Race Theory involving an artificial distortion of the traditional definition of "racism" is fatally flawed;

WHEREAS, Critical Race Theory is a divisive ideology that assigns moral fault to individuals solely on the basis of an individual's race and, therefore, is itself a racist ideology;

WHEREAS, Critical Race Theory assigns generational guilt and racial guilt for conduct and policies that are long in the past;

WHEREAS, Critical Race Theory violates the fundamental principle of equal protection under the law;

WHEREAS, Critical Race Theory views social problems primarily as racial problems and, thus, detracts from analysis of underlying socio-economic causes of social problems;

WHEREAS, the Board of Trustees of the PRJUSD has the legal authority to determine the curriculum taught in the PRJUSD within the parameters set by law;

WHEREAS, the Board of Trustees can require teachers to teach the curriculum approved by the Board of Trustees;

WHEREAS, the laws of the United States of America and the State of California do not require that Critical Race Theory be taught in public schools (grades K-12);

NOW, THEREFORE, BE IT RESOLVED on the 10th day of August, 2021, by the Board of Trustees of the Paso Robles Joint Unified School District:

Critical Race Theory is rejected and will not constitute the basis for any instruction in the PRJUSD. The following specific elements of Critical Race Theory cannot be taught:

1. Racism is racial prejudice plus power, a concept that is often used to argue that (i) only individuals classified as "white" people can be racist because only "white" people control society and (ii) individuals in ethnic minorities cannot be racist because they do not control society.
2. Racism is ordinary, the usual way society does business.
3. "Interest convergence" or "material determinism", according to which the incentive to move away from racist policies depends primarily on the self-interest of the oppressor class, i.e. "whites".
4. "Differential racialization", according to which the "dominant society racializes different minority groups at different times, in response to different needs such as the labor market";¹
5. The "voice-of-color" thesis, according to which merely "minority status ... brings with it a presumed competence to speak about race and racism",² a concept often used to discredit opposing arguments on the basis of the opposing person's race;

FURTHERMORE, the following doctrines derived from Critical Race Theory cannot be taught:

- a. An individual, by virtue of his or her race or sex, is inherently racist and/or sexist, whether consciously or unconsciously.
- b. Individuals are either a member of the oppressor class or the oppressed class because of race or sex.
- c. An individual is inherently morally or otherwise superior to another individual because of race or sex.
- d. An individual should be discriminated against or receive adverse treatment due to the individual's race or sex, or an individual should receive favorable treatment due to the individual's race or sex.
- e. An individual, by virtue of his or her race or sex, bears responsibility for actions committed in the past or present by other members of the same race or sex.
- f. An individual should feel discomfort, guilt, anguish or any other form of psychological distress on account of his or her race or sex.
- g. Meritocracy or traits such as, but not limited to, a hard work ethic or the scientific method are racist or sexist or were created by members of a particular race to oppress members of another race.

¹ Richard Delgado and Jean Stefancic, Critical Race Theory, An Introduction, 3rd ed. (2017), p. 10.

² *Ibid.*, p. 11

- h. The advent of slavery in the territory that is now the United States constituted the true founding of the United States, or the preservation of slavery was a material motive for independence from England.

Notwithstanding the above restrictions, social science courses can include instruction about Critical Race Theory, provided that such instruction plays only a subordinate role in the overall course and provided further that such instruction focuses on the flaws in Critical Race Theory.

ADOPTED this 10th day of August, 2021, on motion of Trustee Baker, seconded by Trustee Gannon, on the following roll call vote:

AYES: 4: Baker, Gannon, Reed, Arend

NOES: 3: Williams, Gearhart, Bausch

APPROVE:

Chris Arend, President

ATTEST:

Chris Bausch, Board Clerk