



FOUNDATION
AGAINST
INTOLERANCE
& RACISM

January 28, 2022

Mr. Christopher Smith
Superintendent
Cherry Creek School District
4700 S. Yosemite Street
Greenwood Village, CO 80111

Sent via email

Dear Superintendent Smith:

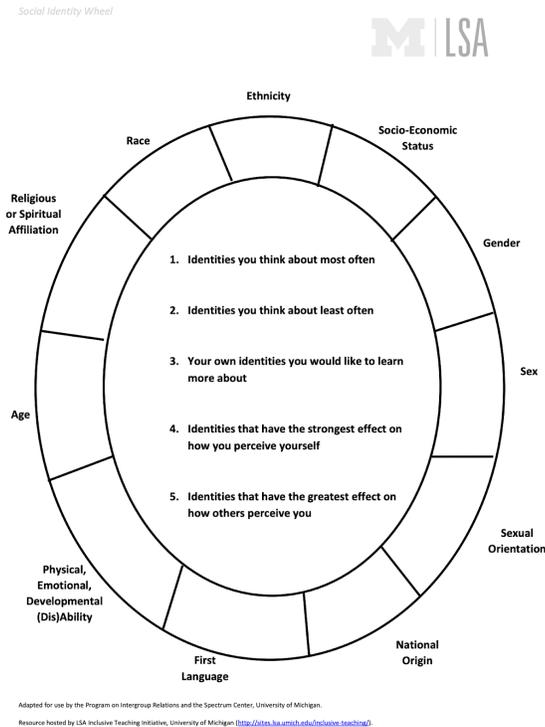
The Foundation Against Intolerance & Racism is a nonpartisan, nonprofit organization dedicated to advancing civil rights and liberties and promoting a common culture based on fairness, understanding, and humanity. We have tens of thousands of members and more than one hundred chapters nationwide, including in Colorado. Our website, fairforall.org, can give you a fuller sense of our identity and activities.

We write in response to reports submitted to FAIR regarding Cherry Creek School District's "Black Lives Matter at Schools Action Week," which will be held during the week of January 31. According to those reports, the Cherry Creek Education Association distributed a framework of resources and lessons for teachers to use during the week, and which it claimed had been "approved by the district." The framework states that "Activism, Organizing, and Resistance" will be taught to students in all grades (including kindergarten, presumably) and includes the following resources and lessons:

- A "Wheel of Power/Privilege," in which pre-selected categories of human traits are labeled, boxed off, and ranked according to their degree of marginalization, and unspecified "POWER" is depicted as the central organizing principle of social relations:



- A “Social Identity Wheel,” which instructs students to dissect their social selves and map the pieces onto a ring of pre-selected and largely immutable traits, such as ethnicity, race, sex, sexual orientation, age, and socio-economic status:



One of the stated purposes of this activity is to “illuminate how privilege operates to normalize some identities over others.” The accompanying instructions twice warn educators about possible student “resistance” to this exercise, casting it as a “challenge” to be overcome.

- A video in which students are told, “Identity is what makes you who you are: race, gender, socio-economic background, sexual orientation; it shapes how you perceive the world.”
- A slideshow on the thirteen guiding principles of Black Lives Matter at Schools. Those principles include “disrupting” the “nuclear family structure” and replacing it with a “collective village,” pursuing restorative justice, ending zero-tolerance disciplinary policies in schools, replacing police officers with counselors, and mandating ethnic studies courses from kindergarten through twelfth grade.

No resource in the CCEA materials questions, disagrees with, or critically examines any of viewpoints in those lessons or the premises upon which they are based.

After the CCEA distributed its framework, the Deputy Superintendent emailed the district principals, stating the CCEA materials “have not been vetted by the school district,” “encourag[ing]” principals to “access” the social studies page on the district website, and advising them to “look for instructional resources to come from the Departments listed above.” The email closes with, “Feel free to forward this to your staff as needed.”

As an advocate for compassionate and pro-human antiracism, FAIR strongly supports honoring the contributions and history of African Americans, as well as celebrating Black History Month. However, we have several concerns about the CCEA's framework and the Deputy Superintendent's response. First, the Deputy's email is unclear. While she states the CCEA materials were not "vetted," she does not indicate whether the teachers may nevertheless use them. Authorizing principals to forward her email "as needed" suggests that transmitting her message to teachers is optional and therefore, they may use the CCEA materials if they so choose. We ask that the district and Deputy Superintendent clarify their position on whether the CCEA framework and resources may (or will) be used by any teachers in any district school.

We believe the CCEA lessons, in their current form and arrangement, do not comply with Board of Education policies. Board Policy IMA states that instruction "shall be conducive to rational thought, free inquiry, and respect for the dignity of the individual." In that same spirit, Policy IMB requires teachers to present diverse sources and viewpoints on controversial or sensitive topics:

The student also has the right to receive information which contains all points of view on a controversial issue.... It is [the teacher's] responsibility to select issues for study and discussion which contribute to the attainment of course objectives and the educational program established by the Board and to make available to students materials concerning the various aspects of the issues. He also has the obligation to be as objective as possible and to present fairly the several sides of an issue. Although he has the right to express his own viewpoint and opinions, he does not have the right to indoctrinate students to his views.

Instead of fostering open inquiry and presenting different perspectives on the nature and meaning of identity, power, and justice, the CCEA lessons limit students to a narrow band of viewpoints. Students are taught that their skin color "makes them who they are" and shapes their very thoughts. They are also instructed that they can and should fractionate their very being into twelve categories – most of which are based on unchangeable traits beyond their control – and plot them onto a wheel to determine their overall "position." Resources and opinions challenging the wisdom or truth of those worldviews are nowhere visible. There are no videos, readings, or lessons setting forth the alternative views that perhaps individuals should not be grouped according to skin color, that skin color does not necessarily "make you who you are," that human relationships are built on and defined by a great many more factors than power, and so forth. In fact, the CCEA lessons seem to discourage critical questioning, for at least one resource describes student disagreement as "resistance" to be "challenge[d]."

Imbalance of views risks another consequence: student self-censoring. Social conformity is common among adolescents; within school, such pressure is compounded by the teacher's position of authority and control. If classroom teachings overwhelmingly endorse a certain viewpoint, voicing disagreement can be daunting for an adolescent. Many will calculate it is not worth the risk and either say nothing or feign agreement. In a recent survey of 250 high school students in New York City, sixty percent felt they could not express their opinion because of how the teacher, other students, or school administrators would respond. Sam Abrams, *et al.*, "Survey on the Status of Freedom of Expression in NYC High Schools"

(NEXT GEN. POLITICS 2021). We hope the district has created and maintains an environment in which students feel confident asserting opinions that others – including the teacher – may not share.

FAIR urges Cherry Creek School District to immediately clarify its position on the CCEA materials – particularly as its action week begins in a few days – and to ensure that classroom lessons foster open inquiry and “present fairly the several sides of an issue.”

Very truly yours,



Letitia Kim

Managing Director of the Legal Network
Foundation Against Intolerance & Racism

cc: Gincey Mansfield, Executive Assistant to Mr. Smith
Jennifer Perry, Deputy Superintendent
Michael Giles, Assistant Superintendent for Equity, Culture and Community Engagement
Sonja McKenzie, General Legal Counsel
Cherry Creek School District Board of Education