STAY W.O.K.E: A Legislative Rewrite to the STOP W.O.K.E Act

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Intro

On July 1, 2022, HB 7, the Stop W.O.K.E. Act became law in the state of Florida.[1] The bill's goal was to "protect individual freedoms and prevent discrimination in the workplace and public schools.[2] The law rewrites a wide swath of the state's educational curriculum, from kindergarten through higher education.[3] Formerly titled, "An act relating to individual freedom", the bill has a two prong focus on instruction, and employment in the state of Florida.[4] The Presidents of the Florida College System issued a joint statement reaffirming their fight against Critical Race Theory (CRT). They vowed not to "fund or support" any institutional practice, policy, or academic requirement that compels belief in CRT or related concepts such as intersectionality, or the idea that systems of oppression should be the primary lens through which teaching and learning are analyzed and/ or improved upon.[5]

CRT has been a scapegoat for the discussion of what versions of America we will teach and what versions we will resist, because it is the study of systems and structures, not individual actions.[6] CRT is a framework of analysis that centers race and racism as key to the development

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[1] The legislation, proposed by Governor Ron DeSantis was passed by a 24-15 state senate vote. H.R. 7, 124th Leg., Reg. Sess. (Fla. 2022).
[2] Eleventh Circuit Court blocks Stop WOKE Act; a timeline and the future; Spinnaker (March 24, 2023) https://unfspinnaker.com/99659/news/eleventh-circuit-court-blocks-stop-woke-act-a-timeline-and-the-future/
[3] III. THE STOP WOKE ACT:131 LEGISLATION, SANCTIONS, QUESTIONS, AND COMPANION LEGISLATION; (2022) https://scholarship.law.ufl.edu/cgi/viewcontent.cgi?article=2216&context=facultypub#:~:text=Florida%27s%20Stop%20the%20Wrongs%20to,imposes%20stiff%20sanctions%20for%20violations.
[4] *Id.*
[5] Florida College System President's Statement of Diversity, Equity, Inclusion and Critical Race Theory, January 18, 2023.
[6] Legislative Suppression of Critical Race Theory in Higher Education; (April 3, 2023) https://teaching.uic.edu/news-stories/legislative-suppression-of-critical-race-theory-in-higher-education/

of the fundamental structures that facilitate American Democracy, such as law, education, and the economy.[7] Its major tenets are that racism is a fixture in American laws, government, and society; white supremacy serves material and psychological purposes in American society; that racial categories exist to include or exclude groups from privilege and power at various points in history, and that minoritized persons see the world in radically different ways than those who are non-minoritized.[8] At its core, CRT is the study of the relationship between race, racism, and power.[9]

Under HB 7, it constitutes discrimination to subject any student or employee to instruction or training that "espouses, promotes, advances, inculcates, or compels such student or employee to believe any of the following concepts:"[10]

1. Members of one race, color, national origin, or sex are morally superior to members of another race, color, national origin, or sex.

2. A person, by virtue of his or her race, color, national origin, or sex is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

3. A person's moral character or status as either privileged or oppressed is necessarily determined by his or her race, color, national origin, or sex.

4. Members of one race, color, national origin, or sex cannot and should not attempt to treat others without respect to race, color, national origin, or sex.

5. A person, by virtue of his or her race, color, national origin, or sex bears responsibility for, or should be discriminated against or receive adverse treatment because of actions committed in the past by other members of the same race, color, national origin, or sex.

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[7] *Id.*
[8] Richard Delgado & Jean Stefancic, Critical Race Theory: An Introduction 8-11 (3d ed. 2017).
[9] *Id.*
[10] H.R. 7, 124th Leg., Reg. Sess. (Fla. 2022).

6. A person, by virtue of his or her race, color, national origin, or sex should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion.

7. A person, by virtue of his or her race, color, sex, or national origin, bears personal responsibility for and must feel guilt, anguish, or other forms of psychological distress because of actions, in which the person played no part, committed in the past by other members of the same race, color, national origin or sex.

8. Such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist, or were created by members of a particular race, color, national origin, or sex to oppress members of another race, color, national origin, or sex.[11]

After listing the above eight sections, the text includes the following regarding the above prohibitions:

> It may not be construed to prohibit discussion on the concepts listed therein as part of a larger course of training or instruction, provided such training or instruction is given in an objective manner without endorsement of the concepts.[12]

Teaching any of these eight concepts would inherently endorse CRT (Critical Race Theory), DEI (Diversity, Equity, and Inclusion), and Affirmative Action which this act was directly enacted to prevent. If a teacher, professor, or educator wants to teach the truth about American history these concepts cannot be excluded. CRT explores how race and racism have played a key role in the development of the fundamental structures that facilitate American Democracy, such as law, education, and economy.[13] DEI refers to fair and just practices and policies that ensure that all members of a campus community or workplace can thrive, feel respected, and have a sense of belonging. Affirmative Action is an effort to overcome the present effects of past practices, policies, or barriers to achieve equal opportunities. This is a country

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[11] *Id.*
[12] The text states that this language refers to "paragraph (a)" which includes the eight parts already listed. at p. 11.
[13] Legislative Suppression of Critical Race Theory in Higher Education; https://teaching.uic.edu/news-stories/legislative-suppression-of-critical-race-theory-in-higher-education/

whose very founding came to be over a war about the institution of slavery. Slaves whose descendants are minority people today. In essence, to teach the truth about America and why society is divided by race, economics, and social class we have to address CRT, DEI, and Affirmative Action.

To discuss the history of this country through an objective lens requires us to acknowledge the wrongs, injustices, and inequalities that have been done to marginalized minority people and how they are perpetuated today. Let's look at the numbers. As of 2021, there is an estimate of 332 million people living in the United States.[14] 75% of those people are White, 13% are Black or African American, 18% are Hispanic and Latino, and the rest account for Asian, American Indian, Native Hawaiian, and other.[15] Within our education system, as of 2021, American's with a high school diploma was at 88%.[16] Of that 88%, 51% are white, 22% are Hispanic, 16% are black, and 6% are Asian or Pacific Islander.[17] Those Americans with a Bachelor's degree or higher account for 33.7 percent of the population.[18] As of 2021, 51% of white graduates earn 62% of bachelor's degrees, 45% of Hispanic or Latino graduates earn 12% of bachelor's degrees, 2% of black or African American graduates earn 10% of bachelor's degrees, and 53% of Asian/ Pacific Islander graduates earn 7% of bachelor's degrees.[19] Economically, in 2021 the median household income for all races/ ethnicities was $70,000.[20] Asians sit at the top of the median income averaging $101,000, Whites are next coming in at

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[14] United States Census Bureau: https://www.census.gov/glossary/#term_Populationestimates
[15] *Id.*
[16] United States Census Bureau (2021); https://www.census.gov/quickfacts/fact/table/US/PST045221
[17] *Id.*
[18] Number of College Graduates: 2023 Race, Gender, Age, & State Statistics; (September 29, 2022) https://research.com/universities-colleges/number-of-college-graduates
[19] *Id.*
[20] Income in the United States: 2021; https://www.census.gov/library/publications/2022/demo/p60-276.html

$78,000. Falling below the median household income for all races first are Hispanics at $57,000 and last are black and African Americans at $48,000.[21]In 2021, 11% of the American population as a whole lived in poverty.[22] African Americans have the highest poverty rate of 19%, Hispanics are next at 17%, Asians come in at 9%, and whites are last at 8%. [23] Lastly, within our legal systems the disparities also appear evident. Although Whites make up the largest inmate population at 57%, they make up 75% of the entire population.[24] Hispanics who make up 18% of the population account for 30% of the inmate population.[25] African Americans who make up 13% of the population account for the second highest inmate population at 38%, and Asians make up 1% of the inmate population.[26]

Based on these numbers alone disparities within our education, economic, and legal systems are extremely apparent. More importantly these present-day statistics present us with evidence of how race and racism have infested our fundamental structures within American society. It is essential for students to learn the real history of marginalized minority people in order to understand why these disparities exist. Learning these concepts helps marginalized minority people understand their place within society. It helps them understand the importance of defying these statistics and why representation within education is necessary. Essentially it provides hope to these students, it allows them to see themselves through the lens of their

[21]Income and Wealth in the United States: An overview of recent data (November 9, 2022) https://www.pgpf.org/blog/2023/02/income-and-wealth-in-the-united-states-an-overview-of-recent-data
[22] United States Census Bureau (2021); https://www.census.gov/quickfacts/fact/table/US/PST045221
[23] U.S. Poverty Statistics (September 13, 2022) https://federalsafetynet.com/poverty-statistics/#:~:text=While%20the%20poverty%20rate%20for,that%20of%20non%2DHispanic%20Whites.
[24] Federal Bureau of Prisons: Inmate Race; https://www.bop.gov/about/statistics/statistics_inmate_race.jsp
[25] *Id.*
[26] *Id.*

ancestors and predecessors and see exactly how they overcame some of the same present-day challenges marginalized minorities face.

History of the Stop W.O.K.E Act

On April 22, 2022, HB 7, known during this time as the Individual Freedom Act was signed by Governor Ron DeSantis.[27] On July 1, 2022 it was entered into effect.[28] In August of the same year due to the resistance of students and staff at Florida A & M University a lawsuit was filed by the American Civil Liberties Union, the ACLU of Florida, and the Legal Defense Fund, and pro bono counsel Ballard Spahr for an injunction to block the act from being enforced in public colleges and universities in Florida.[29] November 17, 2022 an order was issued that would immediately block members of the Florida Board of Governors from enforcing the act.[30] Tallahassee U.S. District Judge Mark Walker temporarily blocked provisions in the law- which restricts discussion of race, gender and inequality- from being enforced in public colleges and universities, calling it "positively dystopian".[31] The Desantis administration appealed the ruling

[27] Governor Ron DeSantis signs Legislation to Protect Floridians from Discrimination and Woke Indoctrination (April 22, 2022); https://www.flgov.com/2022/04/22/governor-ron-desantis-signs-legislation-to-protect-floridians-from-discrimination-and-woke-indoctrination/
[28] *Id.*
[29] *Pernell v. Florida Board of Governors of the State University System*, 2023 U.S. App 6591 (2023)
[30] Judge Blocks Florida's "Stop W.O.K.E" Censorship Bill From Taking Effect in Higher Education (November 17, 2023); https://www.naacpldf.org/press-release/judge-blocks-floridas-stop-w-o-k-e-censorship-bill-from-taking-effect-in-higher-education/
[31] Florida's Stop WOKE law to remain blocked in colleges, appeals court rules https://www.nbcnews.com/politics/politics-news/floridas-stop-woke-law-remain-blocked-colleges-appeals-court-rules-rcna75455

by the District Court and the case was sent to the 11th U.S. Circuit Court of Appeals.[32] On March 9, 2023 the motion was denied.[33]

The Problem with the Stop W.O.K.E Act

In deciding to move forward with the injunction the court order from November 17, 2022 found that the Stop W.O.K.E Act violates the First and Fourteenth Amendments and the Equal Protection Clause.[34] The judge found, "The law officially bans professors from expressing disfavored viewpoints.[35] "If liberty means anything at all it means the right to tell people what they do not want to hear.[36] Assistant counsel for the Legal Defense Fund stated that "Black, Brown, and LGBTQ + youth experience systematic discrimination in their daily lives, and they should not be banned from open conversations with professors who have dedicated their lives to examining these issues and often have similar experiences.[37] The Stop W.O.K.E. Act limits professors to one perspective only that the Florida legislature likes about systematic racism and sexism.[38] Leah Watson, senior staff attorney with ACLU stated, "In many instances, as our professor plaintiffs have shown, this viewpoint isn't even supported by years of research or scholarship on behalf of academics.[39] Supporters of the law contend that it protects against mandatory workplace training or classroom instruction that could lead people to feel guilt or

[32] *Id.*
[33] *Id.*
[34] Judge Blocks Florida's "Stop W.O.K.E" Censorship Bill From Taking Effect in Higher Education (November 17, 2023); https://www.naacpldf.org/press-release/judge-blocks-floridas-stop-w-o-k-e-censorship-bill-from-taking-effect-in-higher-education/
[35] *Id.*
[36] *Id.*
[37] *Id.*
[38] *Id.*
[39] *Id.*

anguish because of their race or sex."[40] This is the misconception behind what CRT, DEI, and Affirmative Action are and what they seek to do. Those who support the stop W.O.K.E. Act worry about how it would make one group of people feel, but at the cost of discarding how another group of people feels. If the legislation seeks to protect those who have feelings of guilt or anguish due to the suffering of another race, then who protects that other race. Who protects the people who don't feel anguish due to guilt but who feel anguish due to systematic discrimination, racism, and oppression that has continued past their ancestors and trickled down to them. Who eases these peoples' pain, who makes sure that these people don't have to feel suffering, anguish, or silenced due to the years of oppression, discrimination, and racism at the hands of a more powerful people. In trying to help and give a voice to one group of people, the Stop W.O.K.E Act inevitably takes away the voice of another group of people.

What CRT, DEI, and Affirmative action really are versus what opponents think it is

Critical Race Theory (CRT)

Critical Race theory is an academic theory used by some historians, sociologists and legal scholars to examine the ways that racism has impacted government policies.[41] However, the term for some Republicans has come to mean an effort to make white people feel guilty about America's racial past.[42] It's debate is between people who think children shouldn't be burdened

[40] *Id.*
[41] How did FAMU, FSU, and TCC respond to Desanti's request for info on DEI and CRT programs? (January 22, 2023); https://news.wfsu.org/wfsu-local-news/2023-01-22/how-did-famu-fsu-and-tcc-respond-to-desantiss-request-for-info-on-dei-and-crt-programs
[42] *Id.*

with the past, and those who want kids to learn how the legacy of that past shapes American society today.[43]

Critical race theory is an academic concept that is more than 40 years old.[44] The core idea is that race is a social construct, and that racism is not merely the product of individual bias or prejudice, but also something embedded in legal systems and policies.[45] Race is supposed to be the way through which people distinguish a group of people for biological or socially attributed aspects. However, race as a social construct means that race is socially constructed since these groups of people are analyzed through the ways they have been treated over time.[46] If we look at the statistics in the intro, the disparities among race within our economics, education, and legal system are clear. It clearly shows how race has been socially constructed. Historically whites have been treated the best in this world over time. Historically whites have held more privilege within our American society due to their European descent which can be traced back to slavery times. African Americans and Hispanics have historically been mistreated in our society which also can be traced back to slavery. Historically, African Americans weren't even considered human beings. They were considered property, a possession to economically advance white people. In fact, at this nation's constitutional convention in 1787, this America decided that 3 out of every 5 African American slaves would represent the state's population for legislative representation. This was only 236 years ago and less than 6 generations ago.

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[43]Critical Race Theory is Simply the Latest Bogeyman. Inside the Fight Over What Kids Learn About American History (July 16, 2021); https://time.com/6075193/critical-race-theory-debate/
[44] What is Critical Race Theory and Why is it Under Attack (May 18, 2021); https://www.edweek.org/leadership/what-is-critical-race-theory-and-why-is-it-under-attack/2021/05
[45] *Id.*
[46] *Id.*

While African Americans have fought for equality among their race of citizens, Hispanics have fought simply for citizenship. Just three years ago in 2020 a wall was being built to physically keep Hispanic immigrants from coming to America. To say that race isn't a social construct would mean that race has played no part in how our society is constructed and that would be false. It cannot be by coincidence or lack of hard work that has shaped our economics, education, and legal system this way. It can't be that since the 1600's a group of people has been dehumanized, and that after over 400 years, with new advances, laws, and achievements, and the notion of providing everybody with equal opportunity, that this same group of people remains in the same place, at the bottom of society.

DEI

DEI which stands for Diversity, Equity, and Inclusion is a discipline that focuses on making sure opportunities are equally distributed in academic and workplace settings. Diversity means the presence of differences in a different setting.[47] Differences in race, gender, and religion within our workplace and academic settings. Equity is about providing all people with opportunities to grow.[48] Inclusion involves welcoming all people regardless of race, ethnicity, sex, and so on.[49] It's a showing that everyone is valued, respected and able to reach their full potential.[50] The really existing definition of diversity is "fewer whites and males".[51] It is important that this topic is explored in academic settings so that students are aware of what they might encounter as they matriculate through school and into the work force. Also, it provides

[47] Where's the DEI at the HBCU's (April 12, 2023) https://www.city-journal.org/article/wheres-the-dei-at-the-hbcus
[48] *Id.*
[49] *Id.*
[50] *Id.*
[51] *Id.*

students with foundational skills on how to challenge and change some of these policies within workplace and academic settings. Think about the young woman who has worked twice as hard as the male who receives the position over her and how she may feel. Dismantling DEI dismantles the truth in ways. This young woman may think that she just isn't good enough or that she didn't work as hard. It may make her question her abilities completely. But classes and instructors who explore DEI open the door for these conversations and allow students to see the history behind why DEI is so important and how it may impact their everyday lives.

Affirmative Action

In 1961, President John F. Kennedy ordered businesses working for the U.S. government to treat workers and people applying for jobs "without regard to their race, creed, color, or national origin."[52] He said the businesses should take "Affirmative action" to make this happen.[53] It was really a recognition that African Americans were excluded from the American dream for many years.[54] Today affirmative action refers to policies designed to increase representation of minorities and women in jobs and in higher education.[55] Affirmative action has two goals: The first is to increase the diversity of student populations so that students may learn from more points of view.[56] The second is to give chances to those students who grew up in

[52] US Court to Reconsider 'Affirmative Action' Policies at Colleges (April 29, 2023) https://learningenglish.voanews.com/a/us-high-court-to-reconsider-affirmative-action-policies-at-colleges/7059565.html
[53] *Id.*
[54] *Id.*
[55] *Id.*
[56] *Id.*

areas with poor schools and fewer educational resources.[57] Sixty years later, Americans disagree about affirmative action.[58]

Affirmative Action is necessary to change those statistics introduced in the opening paragraphs. It is necessary because representation is necessary. Affirmative action goes beyond just looking at the surface and denying or accepting somebody into an institution. It considers those things that only those students that go through it see. Two students may come from the same school district, have the same ACT score, have the same resume with volunteer work and other accomplishments but may be in two distinctly different positions. One student may go to the predominantly white private school while the other student goes to the local public school in that same district. Affirmative Action allows an institution to not have to choose between these two students but to afford them both the same opportunity at the same institution. Although they have two different educational opportunities, they have done the same amount of work. One student should not be afforded the opportunity at a higher educational institution just because he couldn't afford to go to the private school like the other student. Although the starting line to the race will never be equal, Affirmative Action can give students a head start.

Affirmative Action recognizes the historical unequal opportunities and injustices within our society and how they have impacted generations of different races. It recognizes that oftentimes we don't always have the same starting line, but it puts us all in the same race. Affirmative Action is necessary for representation within professions and education.

Conclusion

[57] *Id.*
[58] *Id.*

In tort law we're taught that when a person is wronged the law is supposed to make its best attempt to make these people whole again. African Americans are the only group of people who have historically been oppressed, discriminated against, cast out, considered chattel, had just about everything taken from them and have never been made whole again. Not only have they not been made whole again but there are consistent attempts to continue to break them down and prevent them from receiving true equality. Laws like the STOP W.O.K.E. Act is an example of one of these attempts. The stop W.O.K.E Act essentially says that learning about discrimination that highlights one group's discrimination over another group is in itself discrimination. And the feelings of those people who have historically been discriminated against, matter less than those who they believe are now being discriminated against.

If you look at the origin of the word W.O.K.E. the phrase "woke" and to "stay woke" is not new.[59] It began appearing in the 1940s and was first used by African Americans to "literally mean becoming woken up or sensitized to issues of justice."[60] The word is rooted in African American Vernacular English and is meant to alert people to racial prejudice and discrimination.[61] "Woke" has recently been used as a weapon and a way to degenerate those who disagree with America's belief in the Stop W.O.K.E Act.[62] It is essential for us to stay woke during this time. It is important for us to stay aware and understand why we must fight. Why we must fight to teach CRT, DEI, and Affirmative Action. If we want to make any real progress as a nation, if we want any real chance at seeing real equality, we must acknowledge the real wrongs America has done. And not condemn those who are the descendants of the actors but explain

[59] What is the History of the Word 'woke' and its modern uses? (January 22, 2021) https://www.independent.co.uk/news/uk/home-news/woke-meaning-word-history-b1790787.html
[60] *Id.*
[61] *Id.*
[62] *Id.*

how those actions have hurt a lot of people. Explain how those actions have repercussions even today and explain why their position in society is different from other races or ethnicities. CRT, DEI, and Affirmative Action are necessary because it can help shape mental frameworks, it can change social views, and create and enhance the minds of the future leaders of the world.

The Critical Race Theory Education Act

A BILL

To require that critical race theory be taught in all public institutions of education.

Be it enacted by the House of Representatives and the Senate of the state of Florida in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Critical Race Theory Education Act."

SECTION 2. FINDINGS AND PURPOSE.

(a) Findings. Congress finds the following:

(1) Critical race theory is a vital framework for understanding how race and racism have shaped the history and current reality of the United States.

(2) The teaching of critical race theory in public institutions of education can promote a greater understanding of the experiences and struggles of marginalized communities, including people of color and other historically oppressed groups.

(b) Purpose. The purpose of this Act is to ensure that all people in public institutions of education receive a comprehensive education that includes the study of critical race theory.

SECTION 3. DEFINITIONS.

(a) For the purposes of this Act, the following definitions apply:

(1) "Diversity" means the range of differences among people, including race, ethnicity, gender, sexual orientation, disability, religion, and other protected characteristics.

(2) "Equity" means fairness and justice in the distribution of opportunities, resources, and benefits, with special attention to those who have been historically marginalized.

(3) "Inclusion" means creating a sense of belonging and respect in which individuals from all backgrounds feel valued and supported.

DEFINITIONS OF “PUBLIC INSTITUTIONS OF EDUCATION” AS THEY SHALL BE COLLECTIVELY REFERRED TO IN THIS ACT:

(4) “Public schools” means schools that are funded by the government and provide education to children from kindergarten through 12th grade.

(5) “Community colleges” means public institutions that offer two-year programs and associate degrees. They provide affordable education to students who want to earn college credits or technical training.

(6) “State universities” means public universities that are funded by the state government. They offer four-year undergraduate programs and graduate programs.

(7) “Public libraries” means government-funded libraries that provide educational resources to the public.

(8) “Adult education centers” means public institutions that offer adult education classes to help people improve their skills and knowledge in subjects such as literacy, English as a second language, and career training, etc.

(9) “Correctional education programs” means educational programs provided to inmates in prisons and jails, which offer basic education, vocational training, and college courses to prepare inmates for re-entry into society.

Any additional public education settings are designed to provide accessible and affordable education to people of all ages and backgrounds.

SECTION 4. DIVERSITY, EQUITY, AND INCLUSION PLANS.

(a) Educational Institutions: Each educational institution receiving federal funds shall develop and implement a diversity, equity, and inclusion plan, which shall include the following components:

(1) A statement of the institution's commitment to diversity, equity, and inclusion;

(2) A description of the institution's diversity, equity, and inclusion goals and objectives;

(3) A plan for achieving the institution's diversity, equity, and inclusion goals and objectives, including timelines and measurable outcomes;

(4) A process for assessing progress toward achieving the institution's diversity, equity, and inclusion goals and objectives; and

(5) A plan for providing ongoing diversity, equity, and inclusion training to faculty, staff, and students.

(b) Workplaces: Each employer with more than 50 employees shall develop and implement a diversity, equity, and inclusion plan, which shall include the following components:

(1) A statement of the employer's commitment to diversity, equity, and inclusion;

(2) A description of the employer's diversity, equity, and inclusion goals and objectives;

(3) A plan for achieving the employer's diversity, equity, and inclusion goals and objectives, including timelines and measurable outcomes;

(4) A process for assessing progress toward achieving the employer's diversity, equity, and inclusion goals and objectives; and

(5) A plan for providing ongoing diversity, equity, and inclusion training to all employees.

SECTION 5: REPORTING REQUIREMENTS.

(a) Educational Institutions: Each educational institution shall submit an annual report to the Department of Education, which shall include the following information:

(1) A summary of the institution's diversity, equity, and inclusion plan;

(2) Progress toward achieving the institution's diversity, equity, and inclusion goals and objectives; and

(3) A description of any barriers or challenges the institution has encountered in achieving its diversity, equity, and inclusion goals and objectives, and plans to address such barriers or challenges.

(b) Workplaces: Each employer shall submit an annual report to the Equal Employment Opportunity Commission, which shall include the following information:

(1) A summary of the employer's diversity, equity, and inclusion plan;

(2) Progress toward achieving the employer's diversity, equity, and inclusion goals and objectives; and

(3) A description of any barriers

SECTION 6. CURRICULUM REQUIREMENTS FOR PUBLIC INSTITUTIONS OF EDUCATION

(a) In General - Each public institution of education in Florida shall provide instruction in critical race theory.

(b) Curriculum - The instruction required under subsection (a) shall be part of the curriculum of the public school and shall include, but not be limited to, the following topics:

(1) The history and development of critical race theory.

(2) The role of race and racism in American history and society.

(3) The experiences and perspectives of people of color and other historically oppressed groups.

(4) The ways in which race intersects with other social identities, such as gender, sexuality, and class.

(5) The strategies and approaches for advancing racial justice and equity.

(c) Professional Development -Each public institution of education shall provide ongoing professional development to teachers and staff to ensure that they have the knowledge and skills necessary to teach critical race theory effectively.

(d) Assessments - Each public school shall include assessments of students' knowledge and understanding of critical race theory as part of the regular assessments used to evaluate student learning.

SECTION 7. FUNDING.

(a) Authorization of Appropriations -There is authorized to be appropriated to carry out this Act such sums as may be necessary for each fiscal year.

(b) Allocation of Funds -The Secretary of Education shall allocate funds to public institutions of education to support the implementation of critical race theory instruction and professional development. Including, but not limited to:

I. Support for marginalized communities - including initiatives aimed at promoting economic and social equity, providing mental health services, and supporting community-based organizations.

II. Encouragement of dialogue - Funding the creation of spaces for students to discuss and debate race-related issues and encourage them to listen to and learn from each other's perspectives in order to engage in dialogue and challenge assumptions about race and racism.

III. Providing historical context - Funding curriculum with the goal of teaching critical race theory in context and with a deep understanding of the history of racism in the United States, and the role of racism, as it is embedded in laws, policies, and institutions throughout American history.

IV. Usage of multimedia - Incorporating multimedia resources such as videos, podcasts, and documentaries can help people engage with critical race theory in a more dynamic and interactive way.

V. Collaboration with community organizations - Partnering with community organizations that work on issues related to racial justice to provide real-world experiences and opportunities to learn from experts in the field.

SECTION 8. EFFECTIVE DATE.

This Act shall take effect on the date of its enactment.

ON ADDENDUM

NOW COMES an addendum to The Critical Race Theory Education Act, to make the House aware of additional companion legislation as it is currently being drafted.

The following bills are being drafted and will be introduced to the Florida House of Representatives in the near future:

1. The Education Equity Act: This bill aims to address the inequities in the education system and ensure that every student has access to quality education, regardless of their socio-economic status, race, ethnicity, or other factors.
2. Truth in History Act - This act would mandate that all historical events taught in Florida schools be accurate and not whitewashed or censored. It would require the inclusion of diverse perspectives and the recognition of the contributions of all cultures and communities to American history.
3. Protecting Free Speech in Education Act - This act would protect the free speech of students and educators in Florida schools, while still maintaining a safe and respectful learning environment. It would prohibit censorship or punishment of students or

educators for expressing their opinions or beliefs, as long as they are not threatening or harmful.

4. Community Partnership for Inclusion Act - This act would establish partnerships between schools and community organizations to promote inclusion, diversity, and equity in education. It would provide funding for community programs that support education and advocacy for marginalized communities, and mandate regular communication and collaboration between schools and community organizations.
5. The Criminal Justice Reform Act: This bill aims to reform the criminal justice system and address issues such as mass incarceration, police brutality, and racial disparities in sentencing.

These bills are necessary and proper for the betterment of our society, and we encourage all members of the Florida House of Representatives to support them upon introduction.

Respectfully submitted,

A. Cunningham and B. Young

House Representatives of the State of Florida