

NEPC REVIEW: EMPOWERING PARENTS WITH SCHOOL CHOICE REDUCED WOKEISM IN EDUCATION (HERITAGE FOUNDATION, NOVEMBER 2022)



Reviewed by:

Christine Sleeter, California State University
T. Jameson Brewer, University of North Georgia

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National Education Policy Center

School of Education, University of Colorado Boulder
Boulder, CO 80309-0249
(802) 383-0058
nepc.colorado.edu

Acknowledgements

NEPC Staff

Faith Boninger
Publications Manager

Patricia Hinchey
Academic Editor

Elaine Duggan
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Alex Molnar
Publications Director

Kevin Welner
NEPC Director

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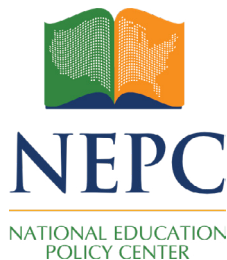
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Summary

A recent report by the Heritage Foundation, *Empowering Parents with School Choice Reduces Wokeism in Education*, compares the amount of “wokeness” terminology in parent/student handbooks in U.S. charter schools with the level of charter school regulation in their states, as measured by a charter-advocacy organization called the Center for Education Reform. The report finds that increased manifestations of “woke” terminology are associated with higher levels of charter school regulation. Therefore, the report concludes that while charter schools represent a safe space away from “woke indoctrination” in public schools, further deregulation and less bureaucracy will allow the charter sector to truly respond to parent desires to avoid “leftist” curriculum. Notwithstanding the provocative premise, apparently intended to tap into current turmoil, the report has at least five significant weaknesses. It assumes that parent/student handbooks are good proxies for curriculum; it completely ignores the diversity of parents and relevant research about what large proportions of parents actually want; it conflates correlation with causation; it relies on undefined conceptions of what constitutes “wokeness”; and it possibly uses cherry-picked data and methods that suit ideological bias. These shortcomings render the report useless for understanding or developing policy. It serves only as an example of strategically employing dog whistles and fear, embedded in shoddy methodology for the sole purpose of affirming a solution (school choice) in search of a problem (“wokeness”).



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I. Introduction

School choice has a long and complex history in the U.S. Stephanie Logan traces its modern history to *Brown v Board of Education* in 1954, which supported efforts of African Americans to access quality education for their children while also providing a means for White parents to remove their children from schools populated by children of color.¹ Because public schools are generally very popular among both Republican and Democrat parents,² efforts to sour parents on them have traditionally rested on claims that charter schools produce better academic achievement. Recently, claims of benefits have shifted to improved attainment,³ reduced costs,⁴ and better alignment with parents' preferred curriculum.⁵ This latter point, driven by what the media have (mis)constructed as Critical Race Theory (CRT), represents the most recent attempt to roll back efforts to make schools accessible and responsive to diverse student populations. In fact, some school choice advocates have explicitly mischaracterized CRT for that purpose.⁶

It is against this backdrop of manufactured hysteria that a new Heritage Foundation report attempts to argue for expansion of school choice and reduction of state regulation of charter schools. *Empowering Parents with School Choice Reduces Wokeism in Education*,⁷ authored by Jay P. Greene, Senior Research Fellow in the Center for Education Policy at the Heritage Foundation, and Ian S. Kingsbury, Senior Fellow at the Educational Freedom Institute, reports on a study that attempts to investigate the relationship between state regulation of charter schools and "wokeness" in order to identify regulatory contexts most amenable to parent preferences.

II. Findings and Conclusions of the Report

Based on a study of language in multiple parent/student handbooks in multiple states, the report determines that charter school handbooks in states with the least charter school regulation contained far fewer iterations of “woke” keywords than did handbooks in states with more regulation; the conclusion drawn is that higher levels of “wokeism” are associated with higher levels of regulation. The report further finds that the prevalence of the keywords in handbooks was independent of dominant political ideology in the state, suggesting that the regulations, rather than the state’s political climate, account for school “wokeism.” Therefore, the report concludes that parents can curb “wokeism” when charter schools are not heavily regulated. It recommends that states with highly regulated charter schools reduce burdensome regulations so that schools can respond to parents’ desires.

III. The Report’s Rationale for its Findings and Conclusions

The report assumes parents to be a monolithic group that opposes manifestations of “wokeism.” In support of this assumed parent population, the report asks how best to curb “wokeism” across the charter school sector: by expanding school choice and eliminating regulations so that parents can vote with their feet, or by legislation to ban “leftist” teaching? It concludes that both strategies are viable, but the better choice is to eliminate regulation. The correlation between high regulation and more “woke” language is used to imply causation, and so a reduction in charter school “wokeism” is presented as a taken-for-granted outcome of deregulation. In short: The report seemingly justifies deregulation of the charter school sector for the purpose of decreasing “wokeism” in charter schools.

IV. The Report’s Use of Research Literature

The report aims to curb “wokeism” in schools without defining that term. Instead, it characterizes “wokeism” as a radical leftist ideology that parents reject; a form of indoctrination; and support for the *1619 Project* and Critical Race Theory. It fails to note that the term “woke” originated in the 1940s among African Americans, to indicate being aware of racism and alert to racial injustice.⁸

The report hinges on the claim that “parents, on average, demand far less wokeism than schools supply”⁹ It bases this claim on a single study that focused mainly on school choice, but also asked whether schools should teach Critical Race Theory. Forty-eight percent of parents disagreed, 29% agreed, and 23% were unsure. Of significance, the report ignores the larger body of survey research about similar issues. Four recent surveys (two of adults in general and two of parents) found that, while opinions about whether schools should teach about racism, particularly contemporary racism, varied, most respondents believed schools should do so and that their own child’s school gives about the right amount of attention to slavery, racism, and other issues Black Americans face.¹⁰ Parents (mainly White) who op-

pose teaching about contemporary race and racism are in the minority. Three recent surveys found strong support for Social and Emotional Learning (among the “woke” keywords) in schools.¹¹ Two recent surveys found more people supporting protections for transgendered people than not, and more parents of transgendered youth supporting gender-affirming care than not.¹² So, the report’s claims about what parents want ignore research data.

Of the 31 sources cited in the report, only three are peer-reviewed (two from *Education Next* and one from *Journal of School Choice*). The rest are from ideologically driven think tanks with a stated interest in expanding school choice. The report draws on a single citation to support its claim that the Department of Justice will “label anyone who opposes [wokeism] as ‘domestic terrorists’”¹³—a myth accelerated by Fox News over 400 times¹⁴ and also pushed by the Heritage Foundation¹⁵ despite being thoroughly debunked.¹⁶ Further, from time to time, the report makes other assertions without any documentation. For example, without evidence, it compares the “woke proclivities”¹⁷ of the general population with that of charter authorizers and government bureaucrats.

V. Review of the Report’s Methods

Publicly available parent-student handbooks from the 20 largest charter schools in each state were gathered and searched for the appearance of words and phrases from a predefined “woke” list; scores from each handbook were used to calculate a per-state average. State averages were then compared to the National Charter School Law Rankings & Scorecard, produced by the Center for Education Reform.¹⁸ These methods purport to provide a detailed analysis of the correlation between lack of charter regulation and less “wokeness” in charter schools.

The report’s main assumption—that questions about curriculum and the overall character of a school can be answered by looking for terms in a parent-student handbook rather than through in-person observation or other detailed explorations of its actual practices—is problematic for obvious reasons. One document can hardly capture the complexity and nature of school life. But even if one accepts that flawed base assumption, several other methodological weaknesses are evident.

The report quantifies charter school “wokeness” based on the prevalence of eight terms: “(1) diversity, (2) equity, (3) inclusion, (4) justice, (5) restorative, (6) social-emotional learning, (7) gender identity, and (8) culturally affirming.”¹⁹ At no time, however, does it explain why these eight terms were chosen or how and why they relate to “wokeness,” beyond the evidence-free claim that “the use of these eight terms is often used as a signal for the commitment to a woke ideological agenda.”²⁰ It provides no data validating that these terms appearing in handbooks reflect actual school practice. A term used in a way that does not fit “wokeness” was omitted from the report’s analysis: “As an example, we counted ‘inclusive’ when it refers to ‘including everyone’ but not when it refers to ‘covering or intended to cover all items, costs, or services.’”²¹ Such selective data collection raises significant concern about the use of a subjective definition of “woke” language, suggesting the possibility of cher-

ry-picking data that aligns with an ideological agenda or omitting data that undermines it.

Additional elements of the methodology open other possibilities for manipulating data. In total, the report analyzes 661 handbooks from 35 states and D.C., but it omits 15 states (see Table 1 below). States were omitted if fewer than five parent-student handbooks were found. However, no rationale is provided for why five was the cutoff point rather than, say, four or six, and no information is provided about how many handbooks per state were found—so it is possible that averages were skewed to align with CER rankings, known for its devotion to ideological biases.²² As another example of what appears to be arbitrary exclusions, Alaska, New Jersey, and Oregon were omitted because “fewer than half of the parent-student handbooks of the largest 20 charter schools” were found.²³ In total, the report specifically mentions omitting eight states. Five states (again, see Table 1) were apparently omitted because they have no CER ranking and so could not be used for the correlation analysis, although the report does not offer that explanation.

Of particular concern, however, is the unexplained omission of Kentucky and Maryland, despite both being included in CER’s rankings. Nor does the report mention problems procuring handbooks (or procuring too few for inclusion as is explicitly mentioned for other states) from those states. It does note that “Maryland, on the other hand, is favored by the National Education Association (NEA) because the sector is highly regulated and not allowed to grow in a way that meaningfully threatens the public school monopoly.”²⁴ The omission of data from these states without explanation also raises the specter of selective use of data, including the possible removal of potentially inconvenient data, especially since Maryland is highlighted as the most regulated state.

Table 1. States Included or Omitted Within Report

Included in Heritage Report and Included in CER Rankings	Omitted by Heritage Report Based on Methodology (Reasons directly stated)	Omitted by Heritage Report Because Omitted in CER Rankings (Omission not explained but discernable given context clues)	Omitted by Heritage Report Despite Inclusion in CER Rankings (Omission not stated or explained)
AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, ID, IL, IN, KS, LA, MA, ME, MI, MN, MO, NC, NH, NM, NV, NY, OH, OK, PA, RI, SC, TN, TX, UT, WA, WI	AK, IA, MS, NJ, OR, VA, WV, WY	MT, NE, ND, SD, VT	KY, MD

VI. Review of the Validity of the Findings and Conclusions

The report concludes that “Controlling wokeness can be achieved by ensuring that schools are more accountable to parents than to regulators.”²⁵ By assuming parents are a monolithic group that opposes keywords the report associates with “wokeism,” the report fails to acknowledge that many of the practices it claims parents oppose have come about through parent advocacy. For example, parents of children with disabilities have long pressed for inclusion of their children in school; they used the Supreme Court *Brown* decision as a basis on which to sue school districts for excluding their children.²⁶ Bilingual education came about in 1968 because of the demands of Cuban parents, and it expanded through the activism of other Spanish-speaking parents.²⁷ Families of color have long fought for equity in schooling, including culturally relevant teaching, on behalf of their children.²⁸ While charter schools are legally obligated to serve everyone, many exclude or dissuade certain populations that may cost more to educate, such as students with disabilities,²⁹ students with low grades, immigrant students, English learners, and students whose parents cannot volunteer or donate money.³⁰ By characterizing state regulation of schools as driven by the radical left, the report ignores the fact that many regulations exist to ensure access to all students.

Additional concerns about the report’s findings lie in the presentation of correlations between manifestations of “woke” terminology and the CER rankings by state. In addition to the possibility that data may have been managed in a way that produced a favorable correlation, the report appears to assume that these correlations are causal.³¹ Correlation, however, does not prove causation.

VII. Usefulness of the Report for Guidance of Policy and Practice

Considering the misrepresentation of the research literature, the report’s equating a subset of parents with all parents, and the significant concerns about the report’s methodology, translating its findings to actionable policy is not justified. The report should be understood against the backdrop of politically charged efforts to intentionally mischaracterize conceptions of “woke” in order to expand school choice and roll back efforts to ensure equity in schools. Last year the Heritage Foundation called on “state legislators to enact policies that families and students desperately need to reject the racial prejudice inherent in Critical Race Theory, maximize transparency around what is taught in K-12 classrooms, and secure education choice.”³² To the extent that this Heritage Foundation report is useful, it is as an example of strategically employing dog whistles and fear embedded in shoddy methodology for the sole purpose of affirming a solution (school choice) in search of a problem (“wokeness”).

Notes and References

- 1 Logan, S. (2018). A historical and political look at the modern school choice movement. *International Journal of Educational Reform*, 27(1), 2-21.
- 2 Horowitz, J.M. (2022). *Parents differ sharply by party over what their K-12 children should learn in school*. Retrieved December 4, 2022, from <https://www.pewresearch.org/social-trends/2022/10/26/parents-differ-sharply-by-party-over-what-their-k-12-children-should-learn-in-school/>
- 3 Lubienski, C. & Brewer, T.J. (2018). *NEPC review: Do impacts on test scores even matter?* Retrieved January 3, 2022, from <http://nepc.colorado.edu/thinktank/review-goalposts>
- 4 DeAngelis, C., Wolf, P., Syftestad, C., Maloney, D., & May, J. (2021). *Making it count: The productivity of public charter schools in seven U.S. cities*. Retrieved January 3, 2022, from <https://scdp.uark.edu/making-it-count-the-productivity-of-public-charter-schools-in-seven-u-s-cities/>
- 5 Brewer, T.J. & Lubienski, C. (2017). *NEPC review: Differences by design? Student composition in charter schools with different academic models*. Retrieved January 3, 2022, from <http://nepc.colorado.edu/think-tank/review-charters>
- 6 Wallace-Wells, B. (2021, June 18). How a conservative activist invented the conflict over critical race theory. *New Yorker*. Retrieved October 10, 2022, from <https://www.newyorker.com/news/annals-of-inquiry/how-a-conservative-activist-invented-the-conflict-over-critical-race-theory>

Meckler, L. & Dawsey, J. (2021). Republicans, spurred by an unlikely figure, see political promise in targeting critical race theory. *Washington Post*. Retrieved October 2, 2022, from <https://www.washingtonpost.com/education/2021/06/19/critical-race-theory-rufo-republicans/>
- 7 Greene, J.P. & Kingsbury, I.S. (2022). *Empowering parents with school choice reduces wokeism in education*. The Heritage Foundation. Retrieved December 5, 2022, from <https://www.heritage.org/education/report/empowering-parents-school-choice-reduces-wokeism-education>
- 8 Mirzaei, A. (2019, September 8). Where ‘woke’ came from and why marketers should think twice before jumping on the social activism bandwagon. *The Conversation*. Retrieved November 21, 2022, from <https://theconversation.com/where-woke-came-from-and-why-marketers-should-think-twice-before-jumping-on-the-social-activism-bandwagon-122713>
- 9 Greene, J.P. & Kingsbury, I.S. (2022). *Empowering parents with school choice reduces wokeism in education* (p. 2). The Heritage Foundation. Retrieved December 5, 2022, from <https://www.heritage.org/education/report/empowering-parents-school-choice-reduces-wokeism-education>
- 10 In Monmouth University’s survey, 57% of respondents strongly approved schools teaching about racism and 18% somewhat approved; only 21% disapproved, and 4% had no opinion. Respondents were split almost evenly on whether schools should teach critical race theory (or how the media have constructed what that is). See Monmouth University Poll. (2021, November 10). *National: Biden’s plans more popular than president*. Monmouth University. Retrieved March 15, 2022, from <https://www.monmouth.edu/polling>

In *Mood of the Nation* survey 77% of respondents who identified as Democrat but only 16% who identified as Republican believed contemporary issues of racism should be taught in schools. A majority of younger groups (65% of those 18 to 29), as well as respondents who identified as Black (79%) or Latinx (53%) said yes. See Gawthrop, E & Helmstetter, C. (2022, February 7). *Mood of the nation poll: How Americans think schools should teach the topics of slavery & race, evolution, and sexual education*. APM Research Lab and McCourtney Institute for Democracy, Penn State University. Retrieved March 10, 2022, from <https://www.apmresearchlab.org/motn/teaching-race-evolution-sex>

In a survey of parents by NPR/IPSOS, 18% reported preferring “History that focuses on what unites us all as Americans,” 8% preferred “History that focuses on the struggle for equality by different groups of Americans,” and 66% saw both as equally important. Two-thirds believed their child’s school teaches U.S. history in a way that is consistent with their values; only 14% said that it does not, and the rest weren’t sure. See Newall, M. & Diamond, J. (2022). *NPR/IPSOS poll: Parents’ views on return to classroom*. Retrieved March 10, 2022, from <https://www.ipsos.com/en-us/news-polls/NPR-Ipsos-Parent-Child-Education-04282022>

A survey by *Education Next* found that two-thirds of polled parents believed their child’s school gave the right amount of attention to slavery, racism, and other challenges faced by Black Americans; only 11% thought it gave too much emphasis. See Houston, D.M., Peterson, P.E., & West, M.R. (2022, August 16). Parental anxieties over student learning dissipate as schools relax anti-Covid measures. *Education Next*, 23(1). Retrieved March 10, 2022, from <https://www.educationnext.org/parental-anxieties-over-student-learning-dissipate-as-schools-relax-anti-covid-measures-2022-education-next-survey-public-opinion/>

- 11 A survey of parents by the Committee for Children found overwhelming support for Social and Emotional Learning. Of parents who believed SEL was being taught at their children’s school, 81% support continuing or expanding it. Of parents who believed it was not being taught, 86% would support adding it. See Committee for Children (2022, May 16). *New polling data show overwhelming support for social-emotional learning among parents*. Retrieved November 21, 2022, from <https://www.cfchildren.org/press/press-releases/new-polling-data-show-overwhelming-support-for-social-emotional-learning-among-parents/>

In a survey of parents of school age children, conducted by NPR/IPSOS, 70% reported believing that their child would benefit from social-emotional learning, while only 13% saw no benefit. See Newall, M. & Diamond, J. (2022). *NPR/IPSOS poll: Parents’ views on return to classroom*. Retrieved March 10, 2022, from <https://www.ipsos.com/en-us/news-polls/NPR-Ipsos-Parent-Child-Education-04282022>

A small-scale survey of parents of children who had experienced an SEL curriculum in school found the parents to report that their children displayed more prosocial behaviors (e.g., showing kindness, sharing) after the curriculum than before. See Zolkowki, S.M., et al. (2021). Social-emotional learning in rural schools: Parents’ perspectives. *Kappa Delta Pi Record* 57(1), 43-46.

- 12 A recent Pew Research Center survey found that 64% of Americans favor laws protecting transgender people, while only 10% strongly oppose such laws. See Parker, K., Horowitz, J.M., & Brown, A. (2022, June 28). *Americans’ complex views on gender identity and transgender issues*. Pew Research Center. Retrieved January 3, 2022, from <https://www.pewresearch.org/social-trends/2022/06/28/americans-complex-views-on-gender-identity-and-transgender-issues/>

A survey of parents of transgender and gender-diverse youth found the majority to support use of gender-affirming care, and to fear that laws banning such care would harm the mental health of their child. See Kidd, C.M., et al. (2020). “This could mean death for my child”: Parent perspectives on laws banning gender-affirming care for transgender adolescents. *Journal of Adolescent Health* 68(6), 1082-1088.

- 13 Greene, J.P. & Kingsbury, I.S. (2022). *Empowering parents with school choice reduces wokeism in education* (p. 1). The Heritage Foundation. Retrieved December 5, 2022, from <https://www.heritage.org/education/report/empowering-parents-school-choice-reduces-wokeism-education>
- 14 Gertz, M. (2022, September 27). Fox promoted false talking point that protesting parents were labeled terrorists more than 400 times. *Media Matters for America*. Retrieved December 4, 2022, from <https://www.mediamatters.org/critical-race-theory/fox-promoted-false-talking-point-protesting-parents-were-labeled-terrorists>
- 15 Malcolm, J. (2021, November 18). *Are parents being tagged as “domestic terrorists” by the FBI? Justice department needs to show its cards*. Heritage Foundation. Retrieved December 4, 2022, from <https://www.heritage.org/crime-and-justice/commentary/are-parents-being-tagged-domestic-terrorists-the-fbi-justice>

- 16 Benen, S. (2022, September 28). *Conservatives try (and fail) to sue over Garland's school memo*. MSNBC. Retrieved December 4, 2022, from <https://www.msnbc.com/rachel-maddow-show/maddowblog/conservatives-try-fail-sue-garlands-school-memo-rcna49791>
- 17 Greene, J.P. & Kingsbury, I.S. (2022). *Empowering parents with school choice reduces wokeism in education* (p. 9). The Heritage Foundation. Retrieved December 5, 2022, from <https://www.heritage.org/education/report/empowering-parents-school-choice-reduces-wokeism-education>
- 18 Center for Education Reform. (2022). *National charter school law rankings & scorecard*. Retrieved November 25, 2022, from <https://edreform.com/wp-content/uploads/2022/05/cer-charterlaws-scorecard-2022.pdf>
- 19 Greene, J.P. & Kingsbury, I.S. (2022). *Empowering parents with school choice reduces wokeism in education* (p. 4). The Heritage Foundation. Retrieved December 5, 2022, from <https://www.heritage.org/education/report/empowering-parents-school-choice-reduces-wokeism-education>
- 20 Greene, J.P. & Kingsbury, I.S. (2022). *Empowering parents with school choice reduces wokeism in education* (p. 4). The Heritage Foundation. Retrieved December 5, 2022, from <https://www.heritage.org/education/report/empowering-parents-school-choice-reduces-wokeism-education>
- 21 Greene, J.P. & Kingsbury, I.S. (2022). *Empowering parents with school choice reduces wokeism in education* (p. 5). The Heritage Foundation. Retrieved December 5, 2022, from <https://www.heritage.org/education/report/empowering-parents-school-choice-reduces-wokeism-education>
- 22 Chi, W.C. & Welner, K.G. (2008). Charter ranking roulette: An analysis of reports that grade states' charter school laws *American Journal of Education*, 114(2), 273-298.
- 23 Greene, J.P. & Kingsbury, I.S. (2022). *Empowering parents with school choice reduces wokeism in education* (p. 6). The Heritage Foundation. Retrieved December 5, 2022, from <https://www.heritage.org/education/report/empowering-parents-school-choice-reduces-wokeism-education>
- 24 Greene, J.P. & Kingsbury, I.S. (2022). *Empowering parents with school choice reduces wokeism in education* (p. 4). The Heritage Foundation. Retrieved December 5, 2022, from <https://www.heritage.org/education/report/empowering-parents-school-choice-reduces-wokeism-education>
- 25 Greene, J.P. & Kingsbury, I.S. (2022). *Empowering parents with school choice reduces wokeism in education* (p. 11). The Heritage Foundation. Retrieved December 5, 2022, from <https://www.heritage.org/education/report/empowering-parents-school-choice-reduces-wokeism-education>
- 26 Pollock, M. (2005). Keeping on keeping on: OCR and complaints of racial discrimination 50 years after *Brown*. *Teachers College Record* 107(9), 2106-2140.
- 27 Ovando, C.J. (2003). Bilingual education in the U.S.: Historical development and current issues. *Bilingual Research Journal* 27(1), 1-24.
- 28 Ladson-Billings, G. (2006). From the achievement gap to the education debt: Understanding achievement in U.S. schools. *Educational Researcher* 35(7), 3-1.
Romero, A.J. & O'Leary, A.O. (2014). When you know yourself you're more confident. In J. Cammarota & A. Romero (Eds.) *Raza Studies: The public option*. Tucson: University of Arizona Press.
- 29 Bernstein, M.D. (2013). Whose choice are we talking about: The exclusion of students with disabilities from for-profit online charter schools. *Richmond Public Interest Law Review* 16(1), 487-527.
- 30 See: ACLU SoCal and Public Advocates (2016, July 31). *Unequal access: How some California charter schools illegally restrict enrollment*. Retrieved November 23, 2022, from <https://www.aclusocal.org/en/publications/unequal-access>
United Federation of Teachers (2020, February 6). UFT analysis finds exclusion is key to results of the most

successful charter schools. Retrieved November 23, 2022, from <https://www.uft.org/news/teaching/research-shows/uft-analysis-finds-exclusion-key-results-most-successful-charter-schools>

- 31 The report notes that in an effort to ameliorate possible political bias, it sought to find correlation between the instances of “woke” terminology in charter schools with results from the 2020 presidential election, finding no correlation. This red herring creates the facade that the CER rankings, by comparison, are not political or ideologically driven.
- 32 Heritage Foundation. (2021). *Coalition calls on states to increase transparency, end critical race theory in schools*. Retrieved December 5, 2022, from <https://www.heritage.org/article/coalition-calls-states-increase-transparency-end-critical-race-theory-schools>