

John Bolt • Ron Allen
Co-Chairs, WVCTH
1405 Earl R Core Road, #12
Morgantown, WV 26505
304.342.4707



What's Underneath West Virginia's Proposed 'Divisive Acts' Bills?

1. **Why should you worry that “divisive acts” bills may become law in West Virginia?**

Whether you are an employee, student, parent, teacher, or business owner, these bills have the power to disrupt your life. Much harm lies underneath hyped controversies about “Diversity, Equity and Inclusion” and “Critical Race Theory.” The proposed “divisive acts” bills will be detrimental to West Virginia's schools, businesses, and state agencies even without referencing Critical Race Theory. However, CRT and “divisive acts” are being cited in the bills and elsewhere as synonyms for “full history” and “diversity.” Extreme right groups began this misleading propaganda campaign to attack educational discussions about racism, sexism, and diversity.

2. **So, what does Critical Race Theory do?**

CRT is not a curriculum. It is a decades-old tool that has been guiding scholars as they examine the history of “race” in the USA. (Similarly, for example, scholars also trace the development and consequences of labor laws through history.) Understandably, most people do not know what CRT is. Consequently, they do not understand that CRT cannot be taught in elementary school or high school. Neither is it taught in diversity training sessions conducted by businesses for its employees.

3. **Why have CRT and “divisive acts” been misrepresented?**

CRT and “divisive acts” have been fraudulently misrepresented as “divisive history” lessons to frighten parents, school boards, teachers, business owners, and others. (In some states, school boards can be fined. Teachers have been fired.) Those who hate full history (i.e., truthful history) want to continue to white-wash the history of this country. The extreme right wants to erase the history of certain people and certain events. The extreme right was already fighting against truthful history before it discovered and relabeled “Critical Race Theory” as “teaching hate.” Revving up parents to complain at school board meetings and force resignations has become easier when they can be armed with “Ban CRT” myths.

4. **So, how is that misrepresentation connected to the West Virginia bills?**

The real purpose of the “divisive acts” bills is to keep the truth buried. School teachers and business trainers are beginning to tell the whole truth about the history of the United States. Members of the extreme right are using hate and fear to frighten people into attacking and stopping truthful history programs. The extreme right wants to abandon the truth about certain activities and consequences in this country that have injured and continue to harm women and oppressed people (which includes African Americans, Native Americans, Asian Americans, and the LGBTQ community). Misdirection from real issues gives extreme right supporters the platform they need to win elections and gain the power to cut or implement the programs they really want to control. Funding schools,

John Bolt • Ron Allen
Co-Chairs, WVCTH
1405 Earl R Core Road, #12
Morgantown, WV 26505
304.342.4707



for example, has never been among the programs they want. Making schools an issue just to misdirect the public's focus.

5. Why do some people say that the bills protect all sexes and races?

The "divisive acts" bills appear to be neutral toward racism and sexism in the classroom. However, the acts actually ban discussions of "full history." Under these bans, teachers and trainers cannot truthfully discuss past activities and consequences. Fair treatment--in school, in business, in healthcare, etc.-- requires fair presentation of all facts and consequences. Citizens need to know what happened in this country, why it happened, who benefitted, who was hurt, and what should be done differently in the future. Under these bills, teachers and trainers will be forbidden to discuss problems. They can't talk about the basics of who, what, when, where, how, and (the very important) why. That's not neutral. That's deception.

6. Haven't teachers always taught U.S. history?

Teachers' U.S. history books have been "incomplete." Today's teachers want to teach the truth. History teachers are trying to move away from half-truths that today's adults learned in school when they were children. For example, most adults only know the blemished half-history that explains the large land expansion of the United States, which omitted the repeated forced removals of Native Americans to other territories. Additionally, also omitted were the generational consequences of those repeated and continuing losses. Under the proposed bills, such expanded discussions are prohibited. Native Americans continue to suffer today under decisions being made today by people who have decades-old misinformation and disinformation. Consequences continue for all oppressed people. They will continue until the truth is faced and changes are made.

7. How can these bills hurt businesses, schools, and state agencies?

Many consequences will face businesses, school boards, and state governmental agencies in West Virginia if these bills become law. The bills indicate that the state will slam financial penalties on violators. But if the bills become law, other superseding laws will protect citizens' rights. Consequences will include lawsuits, fines, and more.

Eventually, businesses that try to recruit, train, and retain a diverse workforce may not want to expand in or relocate to West Virginia. Current West Virginia employers will begin to find it difficult to bring families here--a place that demonstrates it does not honor free speech and does not value or support diversity, equity, and inclusion.

Current employers and school boards also may find themselves fighting lawsuits brought by customers and families who have had their civil rights violated by untrained employees.

John Bolt • Ron Allen
Co-Chairs, WVCTH
1405 Earl R Core Road, #12
Morgantown, WV 26505
304.342.4707



State and local government offices may also face lawsuits for violating free speech rights. In Oklahoma, according to the American Civil Liberties Union, a diverse group of organizations recently filed a lawsuit to fight the state's new "classroom censorship" law, which is similar to West Virginia's proposed bills.

8. If the governments of China and Russia use laws to mislead their citizens about their nations' history, how would you describe what is happening with these three laws?

Remember: CRT is not a history lesson. It's a tool to study history. And, full-history lessons are not blemished half-truths. Full history is not hateful. It's respectful of all peoples. Teaching full history is democracy in action. So, neither CRT nor full history is communism or socialism. The effort to ban full history is, in fact, anti-American. The extreme right's efforts and motives to ban full history mirror education and free speech bans currently underway in China and Russia.

Therefore, these "divisive acts" bills should not be passed into law in West Virginia.

9. Do you know how your help is needed?

History should be respectful. But it will not remain respectful if it is not allowed to be truthful.

Here's how you can help:

- A. Discover more about studying and teaching history. Visit these helpful sites:
 - a. Zinn Education Project (<https://www.zinnedproject.org/>)
 - b. Teaching for Change (<https://www.teachingforchange.org/>)
 - c. Facing History and Ourselves <https://www.facinghistory.org/about-us>
 - d. Learning for Justice <https://www.learningforjustice.org>
 - B. Tell your West Virginia delegates and senators to vote against such harmful bills.
 - C. Tell your U.S. senators and representatives to vote against similar bills.
 - D. Ask your community's teachers and librarians how you can support them as they try to teach and share history in your local schools and libraries.
 - E. Help local organizations that are working to support teachers who are trying to teach respect and truth in their classrooms.
 - F. Invite your friends and family to learn more about history and democracy.
- November 2021, revised February 2024
-

*Prepared for Dismantling Racism Together of Morgantown, WV
Florita Stubbs Montgomery, Ed.D., WVU Extension Professor Emerita*