Critical Race Theory in Higher Education

Speakers

- **Kavitha Cardoza**, EWA Radio
- **Daniel Golden**, ProPublica

Kavitha Cardoza, EWA Radio 00:02
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Kavitha Cardoza, EWA Radio 00:47
This is EWARadio, the podcast of the Education Writers Association. I'm public editor and your host, Kavitha Cardoza. I'm thrilled to talk to Daniel Golden, a senior editor and reporter at ProPublica. He's been instrumental in three Pulitzer Prizes. Two as an editor and one as a reporter for a series of articles on preferences for children and donors in college admissions. He expanded that series into a book, “The Price of Admission: How America’s Ruling Class Buys Its Way Into Elite Colleges—and Who Gets Left Outside the Gates.” He's also written “Spy Schools: How the CIA, FBI, and Foreign Intelligence Secretly Exploit America’s Universities.” He recently tackled another controversial topic in an article about critical race theory, and how it's playing out in higher education. Dan, welcome to EWARadio.

Daniel Golden, ProPublica 01:44
Thanks so much for having me.

Kavitha Cardoza, EWA Radio 01:46
I should also mention that apart from the Pulitzers, and a ton of other prizes, you've also won two Education Writers Association grand prizes, twice. How did you start covering education? And, what keeps you interested?

Daniel Golden, ProPublica 02:02
Well, there's kind of a short story and a long story to how I started covering education. I mean, I guess I was always interested in it. Both my parents were professors at the University of Massachusetts at Amherst. So I grew up in that world. Of course, that was a world of public education. Then I went to Harvard, which was private education. So, I got a sense of sort of both sides of higher-ed. Then for many years, I didn't particularly write about education. I was at the Boston Globe, and I covered a whole bunch of other things. But then I wanted to leave the Globe, and I was looking for a job at the Wall Street Journal. They had an opening for higher education writer. So, I said, I can do that. And I had

written a Globe series about Harvard. And, so, the journal hired me and higher-ed became my beat. And it fit very well with my interests and I've written on it off and on ever since.

Kavitha Cardoza, EWA Radio 02:56
I have mostly heard about the pushback against critical race theory, or "CRT" as it's called, in the context of K-12 education. Let's start with what CRT is, again, and why it's become so contentious in higher education.

Daniel Golden, ProPublica 03:13
Well, of course, CRT is critical race theory. And it's an approach or a view or perspective that looks at systemic racism in our society, and goes beyond the idea that, well, individual people may have biases to show how it's a deeper and harder to eradicate part of the system. And yes, there's been a lot of talk about in relation to K-12. And the kind of pushback often from the left has been, well, you know, it's not in K-12, it's really only something that's taught in a few law schools. And what I found is, it's quite widespread in higher education, throughout social sciences, sociology, political science, and so on. And in my opinion, that's not a bad thing, because I think it's very important to face systemic racism however it manifests itself. You will hear conservatives say, "well, there's no such thing as systemic racism. We don't have laws about race anymore. You know, it's not Jim Crow anymore." But you know, many laws and policies and approaches can be about race without saying so if you think of voter suppression laws, or even in higher-ed, which I've written a lot about legacy admissions overwhelmingly skews white so that some policies that don't specifically speak about race, nevertheless, may have a racial intent or impact, and that's what critical race theory in higher-ed is designed to study.

Kavitha Cardoza, EWA Radio 04:51
You set your story in Florida. Can you talk a little bit about the context? Gov. Ron DeSantis had just taken a series of actions, and how are professors reacting? Like, I guess just before you started reporting,

Daniel Golden, ProPublica 05:10
I should say that the Florida piece is not the first one I wrote on this topic. Previously, I did a piece about Idaho and Boise State. And again, I looked at pressures from rightwing politicians on a university regarding critical race theory and diversity, equity and inclusion and other targets of the right. And the reason I did these stories is because I decided to spend 2022 looking at what I call "the other cancel-culture." Because there was so much publicity about cancel culture from the left, you know, political correctness and so on at different universities.

But I felt that at least as big a concern was cancel culture from the right because from the left, it's mostly colleagues and social media and things like that. But from the right, this cancel culture is being enshrined in laws. And I was essentially worried about ahead of rebirth of McCarthyism in America, particularly in red states and at public universities. So, at Boise State, I examined how the administration had essentially backed down in the face of pressure from the right. It had scrubbed terms like diversity, equity, inclusion from its strategic plan, it had canceled speakers that might offend the right, even suspended a class because a legislator falsely accused a teacher there of insulting a white student. After doing the Boise State story, I thought, well, Florida is kind of ground zero for this, I

should really look at ground zero. And the perspective I had was that, when I was doing the Boise State story, I spoke to a number of professors who taught controversial topics like CRT and didn't have tenure. And what I realized was I've read so many articles over the years about the decline in tenure and the rise of adjunct professors and untenured faculty.

And my insight was, while this must mean that professors teaching critical race theory are even less protected than those who, 70 years ago, were accused of being communist in McCarthy Era, at least more professors had tenure back then, or higher proportion did. So with that in mind, I looked around the country to see where professors who didn't have tenure would be under fire the most for teaching CRT, and it turned out to be Florida, which I guess is not unexpected. And what I found there was that DeSantis, he and his supporters in the legislature had passed a law against CRT. He called it the "Stop Woke Act." It's more official name was the "Individual Freedom Act."

And what this law said, was that racial colorblindness had to be regarded as a virtue and could not be taught as being racist. Now, one of the sort of doctrines or approach of critical race theory is that there's something called "colorblind racism," which is, I discussed before, is the idea that, kind of, being willful, you know, pretending to be colorblind. "Oh, we've got a law here that doesn't mention race." But actually, under the surface, it is about race. So there's a kind of colorblind racism that doesn't purport on the surface to be about race, but actually is, and that doctrine of colorblind racism was being taught in a lot of social science classes around Florida. And one of the more stunning things I found was at the University of Central Florida, which is Florida's largest university by enrollment. In the fall of 2022, the sociology department had canceled all three of the classes it was offering on race, because the teachers essentially were afraid to teach what they would normally teach because of the DeSantis law.

Kavitha Cardoza, EWA Radio 09:05
You introduce us to a professor, Jonathan Cox, and he is an assistant professor of sociology at the University of Central Florida. And he was scheduled to teach two classes--race and social media and race and ethnicity. And so can you tell us a little bit about his story and how he came to the decision to cancel his classes?

Daniel Golden, ProPublica 09:26
Yes. So, Professor Cox canceled both of those classes for last fall semester, because he was very worried about the impact of this Stop Woke Act and whether he might--he didn't have tenure--and he was worried he might lose his job. His wife was home taking care of their babies, so the family was reliant on his income. The guidance he was getting from higher ups at the university was ambiguous, and so he decided he just couldn't take the chance of teaching this class. Because the syllabus included discussion of colorblind racism, which potentially ran afoul of the law's specific provision about racial colorblindness. So, he didn't want to cancel the classes, he didn't want to back down. But after agonizing about it, he felt he didn't have much choice.

Kavitha Cardoza, EWA Radio 10:22
And I take it that he doesn't have tenure.

Daniel Golden, ProPublica 10:25

That's right. He doesn't have tenure.

Kavitha Cardoza, EWA Radio 10:27
This sentence was so mind boggling to me. You wrote, "of the 39 courses offered this past fall by a department that specializes in the study of human society, none focused primarily on race." I mean, I just stopped because I thought, how can you not study race? Or feel like you can't discuss it? Like, especially now like, it just seems crazy.

Daniel Golden, ProPublica 10:55
I agree. I mean, the chair of the department described it to me as an absolute tragedy. But Jonathan's had, you know, sound reasons for canceling his two classes. There was another professor who did have tenure, who canceled his class because of similar concerns. And he felt even tenure didn't protect them enough. And, so there they were. Now, there was a class on critical race theory, offered a little bit under the radar in another department, but it's fair to say that students who wanted to study race relations in depth and would normally do that in a sociology course, had really had nowhere to turn.

Kavitha Cardoza, EWA Radio 11:34
Has there been any pushback to the law from leaders of universities or, you know, provost, chancellors?

Daniel Golden, ProPublica 11:42
There's been very little pushback that as far as I could tell from leaders of universities, public universities, anyway. I mean, they get funding from the state, they don't want to alienate DeSantis. He's very powerful. He appoints the trustees on their boards and other key education officials. Most of the pushback has come from civil liberties advocates, and faculty union people, who have brought a number of lawsuits to block the Individual Freedom Act. It's wending its way through the court process. But the more effective opponents had been the faculty unions and the civil liberties free speech advocates.

Kavitha Cardoza, EWA Radio 12:21
And the thinking is that these universities get a lot of money from the state legislature.

Daniel Golden, ProPublica 12:27
That's right. I mean, they're public universities, which they don't get as much money from the state probably is in terms of percentage of their overall budget as they used to, but it's still a significant amount. And Florida has something called performance funding, which is, I believe, it's explicitly tied to abiding by this law. And it's, you know, it can be 10s of millions of dollars for an institution.

Kavitha Cardoza, EWA Radio 12:50
Florida also has a law where students are allowed to record their professors in class, like evidence?

Daniel Golden, ProPublica 12:58
That's right. That's another law that the DeSantis administration got through. And it says that students, as you say, can record their professor's lectures for the purpose of bringing a complaint about things

like, you know, biased attitudes. And for that reason, a number of professors whom I spoke to have shifted from lectures to class discussion, because you're not allowed to record what your classmates are saying without their permission. Because Florida is one of those states where you know, you need two-party consent. So, the professors avoid worrying about their lectures being recorded and a complaint being made by shifting to a discussion mode.

Kavitha Cardoza, EWA Radio 13:42
You spoke to several people who were very opposed to CRT being taught at universities. And what was their argument?

Daniel Golden, ProPublica 13:52
The argument of conservatives on this is that CRT is ridiculous, because there is no more systemic racism in America, and the only systemic racism is in favor of people of color, namely, affirmative action. And, you know, so that would be their their argument. I mean, the counter argument is, as I said, there are many laws and policies that affect people of color disproportionately, sometimes with intent as well as impact. But the conservatives would argue that's just a random impact that those are not racial policies. And so critical race theory might have been applicable in the Jim Crow era, but it's not relevant today.

That's what they would say. But when I was down in Tallahassee, reporting this story visiting Florida State I went to-- it so happened that Charlie Kirk, who is close to the Trumps and the founder of something called Turning Point USA, which is a national network of conservative groups on campuses. was speaking at the local civic center. And I went there and I stood in line after he gave his speech to ask him a question. The question I asked him was, you know, "you say that you're opposed to censorship," which Kirk does -- he says he's a big advocate of free speech. But, you know, what he really means is the free speech of the right. And so I said, "given that your opposition to censorship, how do you feel about these laws that limit what professors can say about critical race theory? Isn't that a form of censorship?"

And he said, "No, no, that's not censorship. That's curriculum. We shouldn't be teaching absurd theories. You know, should we teach the flat earth theory and astronomy, should we teach bloodletting in medical school?" And so he, you know, he contended that critical race theory is as far-fetched as those other theories, and he and I had a little argument about it that you could see on YouTube.

Kavitha Cardoza, EWA Radio 15:57
I was also wondering, in addition to the tenure question, and like professors teaching these classes not having as much protection, it also seemed to me that, at least, from your story, a lot of the professors who were teaching these classes were professors of color. Is that accurate? Or was that just in this particular story?

Daniel Golden, ProPublica 16:20
No, that's accurate. disproportionally, if you look at the demographic breakdown of faculty by rank, the higher you go, the whiter they are. So, full professors and associate professors with tenure are, it's a considerably whiter group than assistant professors, lecturers and the, you know, the lower levels of the

academic order. Hopefully, that will change at some point. But that's, that's true today. And many of these courses are taught by people of color, the white full professors might not want the headache, and they probably have a quite a bit of choice as to what they're going to teach. So it falls on the untenured faculty often.

Kavitha Cardoza, EWA Radio 17:06
Do you think that this is something that's going to become more and more of an issue in higher education?

Daniel Golden, ProPublica 17:15
Well, I think it could become more of an issue. And I'm quite worried about it for a couple of reasons. First of all, DeSantis looks likely to be a candidate for president. And he clearly sees this, kind of, appealing to people's anxieties about critical race theory and about what their kids are being taught or whatever, as his ticket to national office. And then if a Republican is elected in 2024, I think you can expect executive orders that try and ban teaching certain things nationally. I think DeSantis is really doubling down on this issue. He's thinks it's a political winner. And the result is that the students will be the losers because they'll get this kind of white triumphalist view of America that, you know, leaves out a lot of the story.

Kavitha Cardoza, EWA Radio 18:10
I felt terrible for the professors who are up for tenure, and some of them this is their life's work. But there's a huge issue for students, too, right? The implications of them not being exposed to certain ideas.

Daniel Golden, ProPublica 18:25
Yes, there's huge implications for students. I mean, essentially, what, you know, the right wants to throw out this kind of all the progress that scholarship and research has made in understanding what's gone on in American history, contemporary America at a deeper level than just this, you know, story of this triumphs by the quote, unquote, greatest country in the world.

And, you know, that might be a nice political slogan, "America's the greatest country in the world" and DeSantis and Charlie Kirk can say it over and over again and get applause. But what does it really mean? If you think about America, I mean, Blacks were enslaved, Japanese Americans were interned. Recent documentaries and other research has shown and shown how, you know, Jewish refugees were turned away during the Holocaust. I mean, I'm not saying it's not a great country. I don't really know what that means. But certainly, just like with any country, not everything has worked out perfectly, and not everybody has been treated well, and all sides of history should be taught to students.

Kavitha Cardoza, EWA Radio 19:29
I'm curious whether you got any pushback for your story.

Daniel Golden, ProPublica 19:35
I did get some pushback from the right. You know, one guy emailed me and said "Hitler should have killed your ancestors." So, whenever you write about this kind of thing, and you try and treat it in depth

as objectively as you can you get hate mail. I mean, the point of my article to make clear was not that critical race theory is true or false or right or wrong. I mean, I'll leave that to the to the professors who were the one should be arbitrating it in academia. The point was that, you know, the state should not be passing laws that prevent experts in their field from teaching what they've learned to be truth through their research and their study. I mean, today it's critical race theory. But, you know, maybe you don't like that. But tomorrow, maybe it'd be banning something you do like. It's not the business of state officials who don't know that much about American history or, or society to be telling professors what they should teach. And that was, that was really my point.

Kavitha Cardoza, EWA Radio 20:33
I wanted to ask you for some advice, Dan, I guess on behalf of some of the EWA members. You know, in the past, it used to be a lot of education reporters have told me this past year, you know, we loved education reporting, because like, there really wasn't like, even when we disagreed on policy, people were generally nice. And now I get more and more calls from reporters talking about pushback to their stories, calls to their editors complaining about them being called names at school board meetings. One reporter, the police chief had to send like officers to school board meetings so that there would be some protection. So, this is something that that reporters are feeling like, at a very, very local level. And I was wondering whether you had any advice for reporters covering critical race theory, as well as, can you shed a little bit about how you handle pushback and how you think about it?

Daniel Golden, ProPublica 21:39
First of all, I will say that they have my sympathy, and that's tough. I mean, I'm lucky in the fact that I'm working for a national outlet. And so it's not a town where I have to cover the school board meeting every week, no matter what people thought of my last article, you know, and that that can be difficult to face the people constantly who are angry and polarized. And yet, it's something you feel obliged to cover. I mean, I think also, obviously, this makes it all the more important to cover these issues, because people care so much.

And, also, it's probably not limited to education. I mean, political reporters, probably getting some of the same pushback. It's, how do I deal with it? I mean, I try not to back down. On the other hand, I try not to inflame things in the sense that if somebody's sending me hate mail, or calling me names, I'm not going to respond in kind. I probably won't respond at all, or else, I'll just say thank you for your thoughts. Now, if somebody disagrees with me, as some people did on this article, but they frame it in a way that indicates that they're open to discussion, then I will respond and discuss. Now, you have to be careful about how you discuss it and what you say back because these days, if you say something in your email that you didn't say in your story, and it's controversial, you might find it on social media. You know, so you have to be careful not to go beyond, kind of, what you can support and what you've published. But you can frame it in a different way or simply point out, you know, you may have overlooked this point in my article, or I pointed out, you know, I'm not endorsing critical race theory, you know, the point of my story, as you can see from this line, is that the state should not be interfering with academic freedom. So I think, you know, I believe in dialogue, where possible. I mean, if somebody says to me, "Hitler should have killed your ancestors," I don't really think there's much room for dialogue. But if they're a little more open, then I will. And I do that. And I try not to take any of it personally. I mean, they don't know me, I don't know them. This is just a reflection of the deep, divisive undercurrents in our

society. And you know, we may have common ground in certain places. For example, conservatives would say to me, and this isn't really after the story came out, but going along, they would say to me, "critical race theory is utterly ridiculous.

There's no such thing as systemic racism." Instead of saying, "yes, there is a something" I would say, "you know, it's interesting, you say that, because I wrote this book, “The Price of Admission,” and it's all about how legacy preferences and college admissions or preferences for donors and alumni, and how those skew white." How would you explain to me how is that not reflective of the kind of systemic racism that critical race theory is supposed to analyze? And then, you know, they might not have an answer. If they did, it would lead us into kind of a more, more nuanced discussion, you know, and so, I try, where possible to enter a dialogue where they leave their predetermined position and actually try and think about the issue. Sometimes it works, and sometimes it doesn't.

Kavitha Cardoza, EWA Radio 25:00
Dan, you got such great quotes and such like details, and I was wondering if you could share any reporting tips with us.

Daniel Golden, ProPublica 25:09
I'm a very traditional reporter. I've been doing this for a long time a kind of traditional investigative reporter. And so I believe very deeply in going to the places and knocking on people's doors and getting interviews that way. Rather than simply relying on email and phone, though I do a lot of phone and email interviewing before I go somewhere. So, in this case, you know, when I went to Orlando for the University of Central Florida, I had interviewed Cox in advance, and I arranged to meet him in person. But I hadn't interviewed the chair of the department because I wasn't sure-- it was a sociology department--I wasn't sure how she would react.

And if she was going to be negative or defensive, maybe that would keep Cox from meeting with me. So I hadn't contacted her in advance. And on one of the evenings, I just drove out to her house, it was maybe nine o'clock at night or eight o'clock at night. And she and her husband were sitting on the back porch. I introduced myself. The husband, he said he'd heard of me or was familiar with my work. And they were very hospitable and charming. And I sat down, we had a very nice conversation interview, that was where she gave me the quote about how it was an absolute tragedy, which, you know, I think was very helpful in the story. And we hit it off very well. And then subsequently, I emailed her for fact checks and so on.

And she was the one who checked to make sure how many courses they had offered and to confirm that none of them involved race after those courses were canceled, and so on. So, she became very helpful. Now, she might have been equally helpful if I had just emailed her from the Boston area where I live beforehand. But I just think that often meeting people in person at their home, they can get angry, sometimes, they can be annoyed that you came to see them. But if you're very polite, and you say, "I'm sorry to bother you at home, I only have a limited time in Orlando, I'd really like to talk to you for the story I've been working on for months, if you're too busy, I understand." You know, with all those kinds of caveats, it's still, I think, the best way to get information and also one of the more enjoyable ways. I mean, I'm getting on in years now. So it's harder than it used to be. But I still enjoy getting in a car

somewhere in the part of the country I don't know that well. And driving somewhere I've never been and knocking on somebody's door I've never met and then having a positive interaction, it makes me feel better about my story, it also kind of makes me feel better about America. So I would recommend doing that.

Kavitha Cardoza, EWA Radio 27:44
I always think what I love about reporting is that every person you meet is like just a teeny tiny bit changed from that interaction. And you are a teeny tiny bit changed from the interaction. And that, I agree makes us all better. Dan, I want to give you the last thought: What is the one thing you took from the story? And I don't mean like, you know, the next day or the next week? I mean, something that you took that will stay with you?

Daniel Golden, ProPublica 28:14
Well, I think that the important thing about this story was that it changed the understanding of critical race theory and the efforts to block it as it relates to higher education. You know, before this piece, the progressives said, "Well, you know, these laws don't really matter, because critical race theory is just limited to a few law school classes." And I showed that that wasn't the case, that the law in Florida was having a startling impact. At the same time, I kind of made the case for why critical race theory isn't absurd or frivolous and may well be worth teaching. And what I take away from all that is, I think the story changed the terms of the debate.

And I think it changed in a way that gives you some respect for these faculty who are on the firing line. You know, in many cases, they don't have tenure. Now the states are attacking them with these laws. And they want to teach what they've learned and their research that they've worked on. To some degree, they're abandoned by their administrations. So, it can be very lonely and scary these days to be a faculty member in a sociology department. And I think that's the image I'll probably take away.

Kavitha Cardoza, EWA Radio 29:33
We've been speaking with Dan Golden, a senior editor and reporter at ProPublica. You can follow him on Twitter at @DanLGolden. Congratulations, Dan. You're also the author on a new book that's just come out the “The Ransomware Hunting Team.” Thank you so much for making the time to chat.

Daniel Golden, ProPublica 29:53
It's my pleasure. Thanks, Kavitha, anytime.

Kavitha Cardoza, EWA Radio 29:56
That wraps up this episode of EWARadio. I'm Kavitha Cardoza. Do you have questions for Dan? Let's continue the conversation on Twitter at @EdWriters. And if you have stories about how critical race theory is playing out in your state, please share them @EdWriters.

Special thanks to Angelina Liu and Kristan Obeng from EWA, and Raul Garcia for production assistance. The mission of the Education Writers Association is to strengthen the community of education journalists, and improve the quality of education coverage.

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