



Educators for Quality and Equality

May 18, 2021

VIA EMAIL

Dear Members of the Instructional Quality Commission:

We are grateful to the California Department of Education (CDE) and the Instructional Quality Commission for their efforts on behalf of California math students.

However, having reviewed both the draft California Mathematics Framework and the CDE's [Summary Table of Public Input on the Draft Mathematics Framework](#) (see Agenda Item #3, Attachment 1), we are deeply concerned about content and resources in the draft Framework, as well as the CDE's editing of public comments submitted that were critical of the draft Mathematics Framework.

We request that the IQC address these concerns at your May 19, 2021, meeting during your discussion of the draft Mathematics Framework by removing the concerning content and resources, and that you ask the CDE to share during your meeting the full context and content of the strong critiques it received on this project.

We request that the IQC:

- Disallow the impermissible late addition of new content from the CA Mathematics Project
- Remove two controversial resources ¹ -- "A Pathway to Equitable Math Instruction" and "Access to mathematics" -- pending legal review (the CDE withheld from the IQC and the public significant challenges to both)
- Delete all inaccuracies and misleading statements as mandated by the State Board of Education (SBE) Mathematics Frameworks Guidelines

These are described in detail below.

¹ Public comments about these resources were submitted on April 8, 2021 giving CDE ample time to obtain advice from its council and make a recommendation to the IQC. Rather, the CDE is advising the IQC to retain these resources in the Frameworks at this time ("this document is currently under review; no recommendation at this time" -- May 19, 2021 agenda attachment with CDE's response to comments 475 (Michelena) and 1869-1871 (Educators for Quality and Equality)).

The IQC Must Disallow the Impermissible Late Addition of New Content from the California Mathematics Project

The draft Math Frameworks is incomplete. For example, Chapter 9 has a placeholder for "Professional Learning Vignette: California Mathematics Project."

The IQC should instruct the CDE that it is too late to add new content. Such a late addition of this content will deprive the public of a meaningful opportunity to review and comment on the Frameworks. See 5 CCR Section 9515(a)(3) and (4) which state that the IQC must "prior to recommending a curriculum framework and evaluation criteria to the SBE ...make (draft frameworks) available for public review and comment for a minimum of 60 days (and) hold at least one publicly-noticed meeting to receive comment on the draft curriculum framework and evaluation criteria."

IQC Should Remove Two Controversial Resources Pending Legal Review, as the CDE Withheld From the IQC and Public Significant Challenges to Both

We strongly recommend that the IQC remove² "A Pathway to Equitable Math Instruction" and "Access to mathematics: A possessive investment in whiteness" (Battey, D. 2013) absent written legal advice that neither violate Federal and State non-discrimination laws.

Educators for Quality and Equality and Joe Michelena, PK-12 Math Coordinator (Modesto City) challenged these resources. Neither resource complies with SBE's adopted positions and standards and both appear to violate Federal and State non-discrimination laws opening local school districts to lawsuits if used in classrooms.

The CDE selectively edited Educators for Quality and Equality's [public comment](#) (original) and Joe Michelena's [public comment](#) (original) -- keeping hidden from the IQC and public our key concerns. The CDE's edited version of these public comments appear in Summary Table of Public Input on the Draft Mathematics Framework. (IQC May 19, 2021 Agenda Item #3, Attachment 1, comments 1869-1871 and 475).

- The CDE omitted the request to remove "A Pathway to Equitable Math Instruction" as a Framework resource.

We requested that this resource be removed for the following reasons.

- "A Pathway" calls educators who use specific common math practices, such as assigning independent practice over collaborative work, as complicit in "white supremacy³ culture." This is essentially labeling teachers who engage in these common teaching practices as racist.

² Public comments about these resources were submitted on April 8, 2021 giving CDE ample time to obtain advice from its council and make a recommendation to the IQC. Rather, the CDE is advising the IQC to retain these resources in the Frameworks at this time ("this document is currently under review; no recommendation at this time" -- May 19, 2021 agenda attachment with CDE's response to comments 475 (Michelena) and 1869-1871 (Educators for Quality and Equality).

³ The SBE defines "White supremacy" as "the belief that white people constitute a superior race ...to the exclusion or detriment of other racial and ethnic groups..." (SBE March 18, 2021 meeting).

This is a common application of critical race theory (CRT) - stereotyping individuals based on skin color.

On March 18, 2021, the SBE explicitly rejected this type of personal, race-based CRT application for classroom instruction. In recognition of allegations that CRT violates the law and the significant public rejection of CRT in California's and the nation's K-12 classrooms, SBE President Linda Darling-Hammond assured the public that in California CRT will not be applied in a way that "demonize[s] any person or race."⁴

Labeling teachers as complicit in "white supremacy" is race-based discrimination and impermissible:

- The U.S. and California Constitutions and Federal and California laws do not permit discrimination based on race. (US Constitution, 14th Amendment; Federal Civil Rights Act 42 U.S.C. Section 2000d; CA Constitution Article I, Section 31(a); and CA Education Code Sections 220, 51500, 51501, and 60044).
 - The SBE may not adopt instructional materials "that contain any matter reflecting adversely upon persons on the basis of race" (CA Education Code Section 51501).
 - SBE-approved Social Content Standards do not permit teachers to demean or stereotype. (2013) <https://www.cde.ca.gov/ci/cr/cf/abridgedsocialcontent.asp>
- "A Pathway" calls for "resistance" training -- instructing math teachers to "expose students to examples of people who have used math as resistance" and "provide learning opportunities that use math as resistance."

There is no pedagogical basis for injecting political activism in math instruction.

Including such calls violates the [SBE Mathematics Frameworks Guidelines](#) that require the Framework be based on "current, confirmed research in mathematics."⁵

- "A Pathway" directs educators to "challenge the ways that math is used to uphold capitalist, imperialist, and racist views."

The IQC rejected a similar one-sided lens about capitalism at the November 19, 2020 meeting. Moreover, directing teachers to challenge capitalism does not comply with the SBE's desire, formalized at its March 18, 2021 meeting, that California teachers present a "balance of ...concepts...that represent multiple, and sometimes opposing, points of view or perspectives."

- The CDE omitted the request to remove "Access to mathematics: 'A possessive investment in whiteness' (Battey, D. 2013)⁶ as a teacher resource.
 - This resource asserts that, since students who accelerate in math in high school qualify for higher paying jobs, advanced math classes - in which some races enroll at lower rates - are good vehicles to "explore how color-blind ideology and whiteness produce material

⁴ <https://www.youtube.com/watch?v=FeCwzcEij0I> (hour 6:28)

⁵ "A Pathway" was developed by Dani Wadlington, a self-described "critical educator" who neither majored in math in college nor earned an advanced mathematics degree. Wadlington runs Quetzal Education Consulting, a private, fee-based consulting firm. <https://twitter.com/EdTrust/status/1362026519867117571>, <https://www.linkedin.com/in/dani-wadlington>, and "A Pathway"- Stride 1 at page 2

⁶ This 2013 source has been cited only 66 times in 8 years. Google Scholar.

stratification." Battey demeans Whites, asserting in this resource that "Whiteness creates an ideal race, with which to devalue and subsequently oppress other racial groups," "whiteness has a dual nature: privileging Whites and oppressing those under the boundary of White," and "...an identity of whiteness serves to constrain a teacher educator in discussing equity with future teachers."

- These statements are discriminatory. As stated above, the SBE rejected this CRT application for California classrooms at its March 2021 meeting.

IQC Should Delete All Inaccuracies and Misleading Statements as SBE's Frameworks Guidelines Mandate

We urge IQC to reject the following inaccuracies and misleading statements in the Framework..

- The Framework's one-size fits all recommendation for math instruction⁷ does not comply with the following [SBE Mathematics Frameworks Guidelines](#):
 - The Framework must include "guidance concerning acceleration, compaction, and enrichment in the high school mathematics courses of study," not eliminate these practices. (SBE Math Frameworks Guidelines 4(B))
 - The Framework must "reflect[] current, confirmed research in mathematics." The research cited is controversial and disputed by educators, professors, and researchers. (SBE Math Frameworks Guidelines 1(C))
 - The Framework must acknowledge these specific students' needs -- "ELs, at-promise, GATE-identified, and students with disabilities." (SBE Math Frameworks Guidelines 6(C))
 - The Framework must "provide guidance to help ensure equitable access to high-quality mathematics." This homogenous progression does not do that; students who have access to extrac-curricular tutoring will accelerate and get enrichment while disadvantaged students without this access will not. (SBE Math Frameworks Guidelines 1(I))
- The Framework asserts that student labelling (of 'giftedness') has "often led to fragility among students."

This claim is not supported by any research, as is mandated by the [SBE Mathematics Frameworks Guidelines](#). The only "evidence" cited in support of this false claim is a video in which a small group of students was interviewed. In addition, it is in direct opposition to the SBE directive to acknowledge different students' needs including those "GATE-identified" (SBE Math Frameworks Guidelines 6(C)).

The Framework's example of Maryam Mirzakhani stands in stark contrast to its rejection for California students of math acceleration, compaction and even in-class grouping. Mirzakhani, a Fields Medal winning female mathematician, attended a high school for the gifted which allowed students to take college-level advanced math courses.

- The Framework misquotes its sources.
 - "Mathematics education in the United States was initially structured for a narrow purpose: to prepare privileged, young, white men for entrance into elite colleges."

⁷ For example, Chapter 8 recommends delaying Algebra to 9th grade and Figure 8.X states that the pathway "reflects(s) a common ninth- and tenth-grade experience."

The cited source does not state this. The full source (Furr 1996) states (emphasis added): “The rise of universal, free, compulsory education together with new college entrance requirements and the continuing need for basic commercial computational skills meant a *significant increase in the number of students who were being taught arithmetic and a similar increase in the few privileged boys learning algebra and geometry.*”

- “In California in the years 2004–2014, 32 percent of Asian American students were in gifted programs compared with 8 percent of White students, 4 percent of Black students, and 3 percent of Latinx students (https://nces.ed.gov/programs/digest/d17/tables/dt17_204.80.asp).”

This is incorrect. This source presents raw data from 2013-14 which reports the following when converted to percentages: 21 percent of Asian American students, 31 percent of White students, 4 percent of Black students, 40 percent of Hispanic students.

On behalf of California educators and students, we request that you follow the State Board of Education’s (SBE) directives ([SBE Mathematics Frameworks Guidelines](#)), remove the discriminatory resources identified in this letter, and thoroughly review all material and resources in the Mathematics Framework to ensure that they comply with all relevant laws, guidelines, and codes.

Finally, please reject the [stated goal](#) of one of the Framework’s writers⁸ - to create “a Maths Revolution!” in California’s classrooms - and instead produce a Mathematics Framework that reflects sound, research-based practices over political ideology throughout.

Sincerely,

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Attachment 1: Laws, Standards, and Guidelines

⁸ Framework writer Jo Boaler. Jo Boaler and [YouCubed](#), her private, fee-based consulting group, are mentioned approximately 100 times throughout the draft Framework. SBE-approved Social Content Standards (2013) instruct the IQC to “prevent unfair exposure of any privately produced product.”

Attachment 1: Laws, Standards, and Guidelines

The following table contains laws, standards, and guidelines that relate to our request.

Laws, Standards, and Guidelines	Citation
<p>Discrimination Based on Religion/Race/Ethnicity: Not Permitted</p>	<p>US Constitution Article I, Section 4: Free exercise and enjoyment of religion without discrimination or preference are guaranteed.</p> <p>Federal Civil Rights Act 42 U.S.C. Section 2000d. No person in the United States shall, on the ground of race, color or national origin be subjected to discrimination under any program or activity receiving Federal financial assistance.</p> <p>California Constitution Article I, Section 31(a) The State shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race..., ethnicity, or national origin in the operation of... public education...[(f)...'State' shall include... school district...]</p> <p>California Education Code Section 220. No person shall be subjected to discrimination on the basis of ... nationality, race or ethnicity, religion...in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance...</p> <p>Section 51500. A teacher shall not give instruction and a school district shall not sponsor any activity that promotes a discriminatory bias on the basis of race or ethnicity, ...religion...nationality...</p>
<p>Instruction and Instructional Materials: Must Promote Harmonious Relations, Be Accurate, Be Objective, Be Suited to Students' Needs & Not Reflect Adversely on Religion/Race/Ethnicity</p>	<p>California Education Code Section 233.5 (a) Each teacher shall endeavor to impress upon the minds of the pupils ...the promotion of harmonious relations...</p> <p>Section 60010(h) "Instructional materials" means all materials that are designed for use by pupils and their teachers as a learning resource.</p> <p>Section 51501. The state board and any governing board shall not adopt any ...instructional materials for use in the public schools that contain any matter reflecting adversely upon persons on the basis of race or ethnicity, ...religion...nationality...</p> <p>Section 60044. A governing board shall not adopt any instructional materials for use in the schools that, in its determination, contain (a)</p>

	<p>any matter reflecting adversely upon persons on the basis of race or ethnicity,...religion ...nationality...</p> <p>Section 60045. All instructional materials ...shall be...accurate, objective, and current and suited to the needs and comprehension of pupils.”</p>
<p>The State Board of Education Approved Standards & Guidelines</p>	<p>Social Content Standards (<i>approved by the State Board of Education May 2013</i>)</p> <p>“Intended to help end stereotyping in instructional materials by showing diverse people in positive roles contributing to society.”</p> <p>“Instructional materials used by students in California public schools should never portray in an adverse or inappropriate way the groups referenced in the laws.”</p> <p style="padding-left: 40px;">“Adverse reflection. Descriptions, depictions, labels, or rejoinders that tend to demean, stereotype, or patronize minority groups are prohibited”</p> <p>"The standards enable all students to become aware and accepting of religious diversity while being allowed to remain secure in any religious beliefs they may already have....without displaying bias toward or prejudice against any of those beliefs or religious beliefs in general."</p> <p style="padding-left: 40px;">"Adverse reflection. No religious belief or practice may be held up to ridicule and no religious group may be portrayed as inferior."</p>