

A Precedent Set: Understanding the Florida Assault on Academic  
Freedom Targeting Black History and the Impact  
on Leadership Development  
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Abstract

*Black history is American history. Most of the United States acknowledges this important fact, if sometimes begrudgingly. It is well known that the nation was largely built on the backs of slaves and the highly lucrative slave trade, a direct result of which, historically, has been the systemic marginalization of the Black community.*

*Although numerous brilliant Black minds arose out of the horrors of slavery, disregarding historical facts of how the United States became what it is today is a direct assault on academic freedom in the educational system. Furthermore, withholding knowledge can have prejudicial effects for generations, dismantling civil rights measures, reversing progress, and weakening leadership development. Florida's legislation requires K–12 teachers and corporations to omit important parts of Black history to avoid psychological distress in the white community. This article explores how these laws can harm informed discernment in leadership development and set a concerning precedent for more restrictions of academic freedom.*

**New Florida Legislation Explained**

Florida statute 1003(h) of the education code, enacted in July 2022, outlines required instruction specifically for K–12 teachers that limits the discussion of African American history to “the history of African peoples before the political conflicts that led to the development of slavery, the passage to America, the enslavement experience, abolition, and the history and contributions of Americans of the African diaspora to society” (Florida Department of Education 2024). This statute has been informed by the state education commissioner’s African American History Task Force, which provides set instructions for the following African American history courses: Examining the African American Experience in the Twentieth Century, African American History, African American History Honors, African History, and African History Honors.

A key section of this legislation stipulates that “a person should not be instructed that he or she must feel guilt, anguish, or other forms of psychological distress for actions, in which he or she played no part, committed in the past by other members of the same race or sex.” It also

mentions that “a person, by virtue of his or her race or sex, does not bear responsibility for actions committed in the past by other members of the same race or sex.” African American curriculum must be presented as “motivating stories of American history that demonstrate important life skills and the principles of individual freedom that enabled persons to prosper even in the most difficult circumstances. This curriculum shall be known as ‘Stories of Inspiration’ and made available to schools” (Florida Department of Education 2024).

### The Stop WOKE Act

The Stop WOKE Act became Florida statute 1003(h) in March 2022, paving the way for the placement of broad limitations on how African American history is taught in both education and the workplace. The acronym stands for Stop the Wrongs to Our Kids and Employees. The act was championed by Governor Ron DeSantis, who defended it saying, “We won’t allow Florida tax dollars to be spent teaching kids to hate our country or to hate each other” (Reilly 2022). It was presented and passed in opposition to critical race theory (CRT), “a graduate-level academic framework that explores how institutions perpetuate racism” that is not taught in the K–12 curriculum (Reilly 2022). This act makes it illegal to teach that any race is privileged or oppressed or that any group of people is inherently prejudiced, consciously or unconsciously. Also known as the “antiwoke” law and the Individual Freedom Act, the legislation prohibits teachings about race relations in ways that discuss how any racial group, sex, or ethnicity shares in the responsibility for historical acts. In this way, it is a direct response to affirmative action and similar programs. A bench trial is set to challenge this legislation in October 2024.

### Enforcement Confusion

In late 2022, a federal judge in Florida partially blocked the Stop WOKE Act from taking effect in state public universities in a 138-page order, saying that “the First Amendment does not permit the State of Florida to muzzle its university professors, impose its own orthodoxy of viewpoints, and cast us all into the dark” (Sullivan 2022). Additionally, the judge affirmed that free speech in the classroom is protected by the First Amendment and that the vague restrictions introduced by the law are unenforceable (Alfonseca 2024). However, the Florida Board of Education recently passed new legislation limiting public funds for diversity, equity, and inclusion (DEI) activities in the public higher education system. This will have an immediate impact on a wide variety of diversity programs on Florida public campuses.

In February 2024, teachers at a Florida elementary school sent children home with slips for parents to sign granting permission for the library to invite a speaker who planned to read a book by an African American author (Bellware 2024). The school sent the paperwork to comply with the “parental rights law,” of which the Stop WOKE Act of 2022 is an extension. The legislation “requires district school boards to adopt procedures that comport with certain provisions of law

for notifying student's parent of specified information; requires such procedures to reinforce fundamental right of parents to make decisions regarding upbringing & control of their children" (Florida Senate 2022). Similar incidents in Florida school districts have been reported where permission slips were sent home for parents to sign allowing their children to participate in celebrating African American achievements. However, in a contradictory statement, the Florida commissioner of education claimed that "Florida does not require a permission slip to teach African American history or to celebrate Black History Month" (Bellware 2024).

During the same time the Parental Rights in Education bill was introduced in 2022, an additional bill was enacted to allow parents to review, approve, and reject all curriculum materials for K–12. This led to 54 out of 132 submitted math books being rejected based on the suspected use of critical race theory, political innuendo, and social-emotional learning embedded in graphs displaying data about racial prejudice (Reilly 2022). Another incident took place in 2023 where nearly 35 percent of social studies textbooks were rejected based on content that included discussions of social justice and "politically charged language when referencing the Hebrew Bible,' 'unsolicited topics,' or [materials that] were 'not age appropriate.'" Examples of the rejected materials include "Modern Genocide 2022," "The African American Experience 2022," and "History of the Holocaust 2022." These books have been labeled as content of "concern" (Duster, Suarez, and Weisfeldt 2023).

This year, Florida's Department of State tossed out books on voting that were recommended for story time by the Grove Museum, a plantation-turned-civil-rights-museum that informs and encourages dialogue about American history (Schweers 2024). Officially known as the Call/Collins House at The Grove, the museum was built by enslaved African Americans in the 1830s. The books were marked as inappropriate for the time of year, not age-appropriate, or not on the state department's list of approved books. While a state representative claimed that the books had not been rejected but simply moved, there is no evidence of them on the museum program calendar.

### **The Illusion of Colorblindness in Leadership Propaganda**

The antiwoke movement's efforts to destroy what it perceives as the indoctrination of students to a particular view are counterproductive and contradictory to the end goal. When introduced, the legislation was meant to help parents and corporations take a "stand against the state-sanctioned racism that is critical race theory" (DeSantis 2021). Yet its execution has caused more confusion, fear, and raised eyebrows than it has promoted healthy learning environments.

Definitions of the terms *woke* and *critical race theory* include alertness and broad awareness of social inequities. In apparent willful ignorance of what these words mean, the execution of antiwoke legislation is fueling, justifying, and legalizing prejudice and discriminatory practices under the guise of colorblindness. This establishes a concerning precedent in modern times,

undoing civil rights measures put in place to prevent this type of hostile behavior and granting permission for other states to follow suit. The real issue is not the presence of diversity efforts but the execution of wokeness and critical race theory in education and the workplace.

To be clear, not all DEI initiatives are carried out effectively. Failed efforts have sparked increased opposition and emotional upheaval from detractors who would rather not participate. The spark has become a full-blown blaze of antidiversity glory fed by political propaganda and hurt feelings. Examples can be found on DeSantis's website detailing failed DEI efforts with links to articles published by the conservative Manhattan Institute for Policy Research and *Washington Examiner* (Manhattan Institute n.d.). The governor's site lists examples it connects to critical race theory such as the following:

- A Philadelphia elementary school that forced fifth-graders to celebrate "Black communism" and simulated a Black Power rally to "free Angela Davis" from prison. At this school, 87 percent of students will fail to achieve basic literacy by graduation.
- San Diego Public Schools' accusation that white teachers were colonizers on stolen Native American land, telling them "you are racist" and "you are upholding racist ideas, structures, and policies." SDPS recommended that the teachers undergo "antiracist therapy."

Closer examination shows that these stories have been taken out of context and skewed with the inflammatory language of political propaganda, dismissing relevant research and techniques on the formulation of identity and how diversity awareness strengthens development. The DEI framework is thus discredited in its execution in favor of no frameworks at all, an approach also known as racial colorblindness.

### **Attacking Academic Freedom**

Florida legislation takes the concept of racial colorblindness further by creating new frameworks to discredit, disregard, and eliminate DEI efforts. In doing so, the antiwoke movement participates in the same attacks on academic freedom it claims DEI infringes on. Most important, academic freedom comes with a responsibility of transparency and is defined as "the principle that scholars, researchers, and educators can engage in teaching and scholarship without the fear of censorship or retribution" (De Witte 2023).

Following this definition of academic freedom, scholars, researchers, and educators are at liberty to engage in truth telling and discovery without fear and free from political oversight. Academics have an additional responsibility to produce research that advances greater society. The growing trend of and comfort with ignoring and discrediting relevant research that does not fit a political agenda has reached new heights in Florida's education policies. So-called liberal and critical race theory policy is being met with bold opposition reminiscent of the pre-civil rights era and replaced with a colorblind solution meant to be more inclusive than the DEI frameworks in place.

### **Racial Colorblindness Defined**

Racial colorblindness is defined as the perspective that the “United States has moved beyond race and racism and that the color of someone’s skin does not matter in today’s society” (Neville, Gallardo, and Sue 2015). Previous sociological research has framed this type of behavior as the currently popular claim that “I don’t see color,” also known as color evasion. The argument that race continues to be too much of an issue or is simply not a big deal today has been referred to by sociologists as power evasion (Neville, Gallardo, and Sue 2015).

### **Woke Movement and All Lives Matter Defined**

Recent televised events demonstrating racial injustice have given rise to an era of “wokeness,” defined as being alert to racism (Gonzales 2023). In the years since George Floyd’s death, the definition has expanded to become a politicized, catch-all phrase for DEI efforts to satisfy political propaganda. The Black Lives Matter movement has become a cornerstone of woke activism and a thorn in the side of those claiming colorblindness. The popular oppositional phrase “All Lives Matter” (ALM) has been the motto of colorblindness that continues to fuel antiwoke sentiment. This perspective implicitly suggests that the Black Lives Movement disregards the importance of others’ rights. The irony of this perspective is that it was presented in direct response to the Black Lives Movement as a demonstration of inclusivity. Academic research confirms the motivations of ALM supporters as “implicit racism, a refusal to engage with the reality of contemporary forms of anti-Black racism, and an insistence that acknowledging the experiences of Black people is part of the problem” (West, Greenland, and van Laar 2021).

### **Critical Race Theory Defined**

*Critical race theory* is defined as an academic principle that race is a social construct and is not limited to individual prejudice but part of institutional systems responsible for policy making and legislation (Sawchuk 2021). The foundations for CRT come from legal scholars in the 1970s and 1980s conducting legal analysis on policies like redlining, which explicitly drew lines targeting specific demographics as poor financial risks to avoid offering mortgages to the Black community. The CRT lens helps to identify current patterns of discrimination and has since informed a variety of other disciplines, including education and the social sciences. Critics of CRT allege that it divides people by promoting intolerance rather than encouraging inclusivity (Sawchuk 2021). The assumption that CRT is the basis of all DEI programs serves as a justification for rejecting and attacking them.

### **Racism and Informed Discernment Discussion**

Academic research from various disciplines has established that racism exists in the United States and that the Black community has continued to be adversely affected by it.

Historically, attempts to vocalize this perspective are met with oppositional forces that disregard and silence any disciplinary action for racial equality in favor of maintaining the status quo that sustains the racial hierarchy. The ALM colorblind perspective is a veiled attempt at disregarding and silencing correctional action to address issues of racism. Florida education legislation is an extension of this and a glaring example of a policy rooted in colorblind and ALM ideology, with research indicating that political affiliation is strongly linked to judgments about racism (Sawchuk 2021).

Research shows that individuals who support the ALM movement are more likely to support colorblindness ideology and define racism in narrow terms that mostly recognize egregious circumstances while disregarding less overt acts (Sawchuk 2021). Furthermore, research shows that while the ALM slogan claims to be more inclusive, supporters are motivated to downplay anti-Black racism (Sawchuk 2021). While this research may seem redundant and its conclusions obvious, the fact that research is lacking studying direct links between current Florida legislation and racism is an indication of the desire to maintain the status quo.

### Leadership Development

Florida's recent educational legislation encourages the indoctrination of K–12 students by silencing, disregarding, and reshaping specific parts of Black history in alignment with ALM ideology. It impresses on children how one should deal with the less desirable parts of US history at the expense of the Black community, an apathetic strategy executed similarly in Jim Crow laws meant to target and police Black people after the Civil War. Since racism is a learned trait, the Florida statute contributes to teaching racism to K–12 students by normalizing its influence in curriculum design. Policing and restricting how Black history is discussed and analyzed in the classroom can lead to greater intolerance in later years and increased leadership bias by normalizing the dismissal and policing of Black experiences.

Leaders are made and not born. Favorable traits can place some individuals ahead of others during development, but the environment is largely responsible for molding and determining a leader's biggest influences. A leader's ability to collaborate, motivate, and manage highly diverse networks is dependent on emotional intelligence (EQ). The K–12 years are formative in a person's development, and tools for managing EQ come in the form of role-playing, mindfulness, discussion, and sportsmanship. These years can build a solid foundation for leadership development and expose young minds to diversity in all forms. They also offer an opportunity to develop empathy, the most important leadership skill according to research (Brower 2021).

### Empathetic Leadership Matters

A leader's ability to empathize can have positive and constructive effects on employee innovation, engagement, retention, inclusivity, and work life (Brower 2021). Research from Lund University shows that "children as young as two demonstrated an appreciation that others hold different perspectives than their own" (Brower 2021). The key to developing empathy is a willingness to listen to others' experiences and acknowledge that they are valid. Florida's K-12 legislation seeks to invalidate parts of the Black experience in the classroom and replace empathy for the atrocities suffered by slaves with colorblind and ALM ideology. By doing so, education legislators can legally justify negating the present-day Black experience as they see fit in most settings under the guise of avoiding "psychological distress" for the white community.

The execution of this legislation is reminiscent of manipulation, defined as a creation of an imbalance of power that causes doubts in one's perception of reality. In redirecting attention to "stories of inspiration," legislators are actively choosing to disregard specific historical facts of how the United States was built and manipulate students' understanding of society. This is a reflection not of academic freedom but of a specific political agenda.

*Trust.* Empathetic leaders are more effective at building trust and recognize that it is the most essential form of capital (Frei and Morriss 2020). The old leadership perspective places importance on one individual vision and that person's ability to make hard decisions amid challenging circumstances and heroic moments. Real leaders, however, empower followers to function successfully in their absence. The core drivers of trust in leadership are authenticity, logic, and empathy (Frei and Morriss 2020). Trust is built when individuals believe they are interacting with someone genuine and authentic. Followers build faith in the judgment and competence of a leader who demonstrates logic in decision-making. Leaders show empathy when they demonstrate care about followers and what they are going through. A breakdown in trust can be traced back to poor execution in one of these components.

Intentionally silencing and restricting Black stories encourages apathy in students as they hone leadership skills inside and outside the classroom. The authenticity of the Black experience is lost when only the "inspiring" parts are revealed, manipulating students into adapting the ALM mindset of downplaying racism. The classroom is meant to be a safe space to explore new perspectives. Florida's legislation is criminalizing the perspective of Black people, making the classroom no longer safe for all.

*Problem solving.* Building effectiveness at all organizational levels requires sharpened problem-solving skills that begin with an empathetic understanding of the people being served. Empathy is also the fundamental principle for design thinking, an advanced and iterative process of creative problem-solving that can be applied to a variety of industries. All industries in the United States serve a multidimensional Black consumer in some capacity. However, the Black community is underrepresented in a vast majority of fast-growing and higher-wage industries,

including academia (Stewart et al. 2021). Florida legislation will not allow these facts to be discussed in the classroom because they are assumed to represent CRT or DEI initiatives.

This sets a precedent for negating the need to see other perspectives and communicate effectively (Frei and Morriss 2020). Furthermore, Florida legislation makes it acceptable to ignore the problems of the Black community by downplaying their importance. According to a report by McKinsey & Company, “Clear racial patterns continue to exist across the US labor force” (Stewart et al. 2021). As students leave the classroom and enter the workforce or continue to higher education, understanding this reality will be a key part of how they choose to navigate given circumstances and develop as leaders. The “stories of inspiration” that constitute Black history in the Florida curriculum are misleading and feed the narrative requiring the Black community to “lift themselves up by their bootstraps.”

### **Racism and Discernment**

According to research published in *Evolutionary Biology*, when empathy was included in decision-making, cooperation and empathy increased in the workplace (Brower 2021). This is significant given that “it is harder for Black employees to advance organically from entry-level to managerial jobs; their attrition rates are higher, and many report a trust deficit and a lack of sponsorship and allyship” (Stewart et al. 2021). ALM and colorblind ideology dismiss such statistics as racist and counterproductive to inclusivity. However, the best way for leaders to make sound decisions is “by analyzing and understanding situations or information through a careful examination of the details” (Jeffress 2023).

*Discernment* can be defined as the ability to recognize small details, correctly tell the difference between things, and make sound judgments based on this analysis (Jeffress 2023). A highly developed sense of discernment can significantly prevent poor decisions (Jeffress 2023). Many poor leadership decisions affecting the Black community have come from racist ideology embedded in various power structures throughout the United States but more glaringly in institutions and legislation. The 2020 pandemic reinforced how the Black community is hit the hardest by job loss and inadequate access to health care (Jeffress 2023). In response, ALM and colorblind ideology grew to downplay, disregard, and redirect attention to apparent patterns of racism in the economy. Now, the workplace has become a new refuge for antiwoke ideology because it is easy to justify organizational goals as centered on profit-and-loss statements and not societal ills.

### **The Aftermath and Beyond**

American culture revolves around individual identity and expression but ideally not at the expense of others. Although the McKinsey report on the economic status of the Black community shows otherwise, the Stop WOKE Act boldly dismantles DEI efforts meant to close racial



disparities throughout the economy and benefit from an undersourced pool of talent. Attacking DEI efforts in education and the workplace will only worsen racial gaps and reverse progress toward a more equitable society.

Shelly Stewart et al. (2021) suggest several starting points for corrective action toward progress. Examples include diversity hiring and promotions that deemphasize credentials, strengthening educational pathways that support enrolling Black students, job quality improvement for disproportionately affected Black workers, and considerations for expanding corporations into underserved communities. This new approach to hiring is key to diversifying the workforce (Goldberg 2023). Still, planting equitable seeds begins in early development. Empathetic leadership is needed to create succession pipelines that represent diversity and to build organizational cultures that promote racial equity.

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