

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

(1) BLACK EMERGENCY RESPONSE TEAM,  
(2) UNIVERSITY OF OKLAHOMA CHAPTER OF  
THE AMERICAN ASSOCIATION OF  
UNIVERSITY PROFESSORS,  
(3) OKLAHOMA STATE CONFERENCE OF THE  
NATIONAL ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE,  
(4) AMERICAN INDIAN MOVEMENT INDIAN  
TERRITORY,  
(5) PRECIOUS LLOYD, AS NEXT OF FRIEND OF  
S. L.,  
(6) ANTHONY CRAWFORD, AND  
(7) REGAN KILLACKEY,

PLAINTIFFS

vs.

CASE No. CIV-21-1022-G

(1) JOHN O'CONNOR, IN HIS OFFICIAL  
CAPACITY AS OKLAHOMA ATTORNEY  
GENERAL, ET AL.,

DEFENDANTS.

AFFIDAVIT OF EMILY STEELE

I, Emily Steele, being first duly sworn upon oath, deposes and state as follows:

1. I have personal knowledge of the following facts and could and would testify competently thereto if called as a witness in this proceeding.
2. I am the Executive Director for Educational Services for Edmond Public Schools ("EPS") and have been in this position since June of 2021. Prior to this position, I was principal of Sequoyah Middle School, an EPS school, from July 2016

to May 2021. I have been a certified educator in Oklahoma since 2001. I have been employed with EPS as a certified administrator since 2011.

3. In my current position as Executive Director for Educational Services, under the guidance of the EPS Superintendent, Dr. Angela Grunewald, I oversee the formation of curriculum for all EPS grades, Pre-Kindergarten through 12th, along with other services that support student learning. I supervise a staff of 16 other EPS employees who implement all aspect of curriculum throughout the district. I supervise Jacqueline Rasnic, who is the English Language Arts Content Specialist for EPS. Ms. Rasnic oversees secondary (Middle School and High School) English curriculum, which includes the selection of required novels (texts) and English Language Arts (ELA) textbooks.

4. The ELA texts used in grades 6–12 are chosen by EPS teachers working with Ms. Rasnic. The teachers compile a list of texts which is presented to me for approval. This is what occurred for the 2021–22 school year.

5. In my position as Executive Director for Educational Services, I was made aware of the passage of H.B. 1775 by the Oklahoma Legislature in the spring of 2021.

6. The Oklahoma State School Boards Association, of which EPS is a member, presented virtual town hall meetings to explain H.B. 1775 as well as the emergency administrative rules adopted Oklahoma State Board of Education. I attended one these meetings and understand EPS Superintendent Grunewald, Dr. Debbie Bendick (Associate Superintendent), and Cara Jemigan, Executive Director for Elementary Education, attended such meetings as well.

7. Dr. Grunewald, Dr. Bendick, Ms. Jernigan and I collectively made the decision to provide information to EPS teachers to (1) attempt to explain H.B. 1775, and (2) assure teachers that they would be able to teach the Oklahoma Academic Standards as they had done in past years. We worked together to create the document entitled “Guidelines for HB 1775” which is attached hereto, and also to the Complaint filed in this lawsuit.

8. In the Guidelines, among other things, we told our teachers that “[t]his law does not prohibit conversations about race, ethnicity, diversity, or gender. You still have all the tools you had before, and as always, do not interject your opinion.”

9. I shared the Guidelines with all EPS administrators in our August 2021 administrators’ meeting. All principals were directed to share it in paper form (not digital) with their teachers in small groups on one of the professional development days prior to school starting in August of 2021.

10. I oversee the selection of required and optional texts for all subjects in all grade levels. The evaluation and selection of texts is a task that occurs every year.

11. There were no texts that were removed for the 2021–22 school year in response to H.B. 1775.

12. EPS had been contacted by parents who expressed concerns that EPS staff was teaching about Critical Race Theory (or intended to), even though that was not the case. The reasoning behind recommending to teachers that they not title lessons with words like “diversity” was to minimize the possibility that parents would view the title and jump to conclusions about whether EPS was teaching Critical Race Theory.

“Diversity” is not a stand-alone standard of the Oklahoma Academic Standards for English Language Arts. Nevertheless, teachers would still be including diversity and related topics in their classroom work as appropriate given the specific content of a given lesson.

13. Over the summer of 2021, EPS worked with its English teachers to develop reading lists that supplied students more flexibility and diversity in their choice of texts. This was in response to input from students and staff.

14. The restructuring of EPS English Language Arts reading lists was in no way in response to H.B. 1775.

15. The guidelines provided to EPS teachers [Doc. No. 50-1] provide that the College Board curricula referenced in Paragraphs 5–8 of the Affidavit of Regan Killackey is not affected by H.B. 1775:

College Board curriculum may still be taught. If there is something in the College Board curriculum that you feel may fall under one of these 8 prohibitions, please let us know and we will seek additional guidance.

16. The guidelines provided to EPS teachers [Doc. No. 50-1] specifically state, “This law does not prohibit conversations about race, ethnicity, diversity, or gender. You still have all the tools you had before, and as always, do not interject your opinion.”

**FURTHER AFFIANT SAYETH NOT.**

12/16/2021  
DATE

  
\_\_\_\_\_  
EMILY STEELE

## Guidelines for HB 1775

Know the 8 prohibitions outlined in law:

<b>PROHIBITION</b> <i>No teacher, administrator, or other school employee shall require or make part of any Course offered in a public school the following discriminatory principles . . .</i>	<b>WHAT DOES IT MEAN?</b> <i>Educators shall not teach or make part of their classroom instruction any of the 8 prohibitions.</i>
1. . . . one race or sex is inherently superior to another race or sex.	This idea cannot be explicitly stated or taught. We cannot control the feelings of others, but we can control content. Directly teaching this concept would be a violation.
2. . . . an individual, by virtue of his or her race or sex, is inherently racist, sexist or oppressive, whether consciously or unconsciously.	Key word is <b>inherently</b> . We can say that historically some laws in society may have been racist, sexist or oppressive, in that the laws contained different provisions or requirements for members of a race that weren't required of another race, but we cannot say you are racist, sexist or oppressive because of who you are.
3. . . . an individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.	This is Title VI (race) and Title IX (sex) - discrimination is not allowed. This aligns with current discrimination policies already in place.
4. . . . members of one race or sex cannot and should not attempt to treat others without respect to race or sex.	Unfortunately, no one truly knows what this means or can come to an agreement on its meaning. However, having a discussion about race or diversity in the classroom will not be a violation.
5. . . . an individual's moral character is necessarily determined by his or her race or sex.	We cannot tell individuals they are a certain way simply because of their race or sex or that they are inherently good or bad based upon their race or sex. We can not teach that someone's character is predetermined by their race or sex.
6. . . . an individual, by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex.	We can still teach historical events and <b>discuss</b> the ramifications of topics such as slavery and civil rights without putting the responsibility of these events on the students in our classrooms. We cannot blame a student or place personal responsibility on students for historical issues.
7. . . . any individual should feel discomfort, guilt, anguish or any other form of psychological distress on account of his or her race or sex, or	We cannot tell students how they should or should not feel; yet, we cannot control their feelings. Students may feel anger, sadness, despair or discomfort about a <b>topic</b> , but we cannot make or tell a student to feel <b>uncomfortable</b> . We should not actively promote that students should feel distress or discomfort. We should not fear this statement. We cannot tell students they should feel guilty because of their race or sex.
8. . . . meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race to oppress members of another race.	Same applies here as in all the above statements. Definition of meritocracy: a system, organization, or society in which people are chosen and moved into positions of success, power, and influence on the basis of their demonstrated abilities and merit.

**Additional Guidelines:**

Nothing in this law talks about Critical Race Theory, which is typically taught at the university level. CRT is not part of the Oklahoma curriculum. We are not going to "broaden" the meaning of HB 1775 or language of the law.

When teaching, provide the facts without stating students should "think this" or "believe this."

This law does not prohibit conversations about race, ethnicity, diversity, or gender. You still have all the tools you had before, and as always, do not interject your opinion.

If a student brings up a topic related to a prohibition point in HB 1775 within a class discussion, you are okay. You were not teaching the topic and cannot control what a student brings up. However, teachers should always moderate classroom discussions.

If a student asks, "What is CRT?," then a teacher may respond with, "It's often a theory used in higher education to look at laws in society." This response would not violate the law.

Just **because a book depicts a character or historical figure** who is experiencing or practicing **racism**, this does not mean **you are promoting or transferring that same concept** to your students. Classroom discussions centered around such readings should not include any of the 8 prohibitions from HB 1775.

College Board curriculum may still be taught. If there is something specific in the *College Board Curriculum* that you feel may **fall under** one of these 8 prohibitions, please let us know and we will **seek** additional guidance.

We teach history so that we do not repeat it. This law does not prohibit such teachings.

**EPS Policy and Procedures:**

A **policy will be presented to the board** on August 2. This policy will provide the steps to file a complaint. The **policy needs to be in student and teacher handbooks** once approved by the board. Parents have **always** had the right to review curriculum.

There is a **formal complaint process** outlined in this policy:

1. Complaints must be responded to within 10 days.
  - a. In writing
  - b. Give name
  - c. Name concept (from the 8) that was violated
  - d. Provide witnesses
  - e. Provide date it happened
2. Outcomes from complaints - 1 let know within 10 days if investigated, 90 days to investigate, 30 days to report findings to SDE
3. If **wrongdoing** found, could be disciplined following normal discipline actions, SDE can pull certification, false reports can be punished
4. Disciplinary actions fall within current policy and is confidential (except notifying SDE)
5. Key word in complaint is **WILLFUL**
6. The complaint process is intended for current staff, students or guardians.

If **supplemental materials** are going to be used in the classroom, in addition to the district adopted curriculum or district-approved extended reading lists, please complete the appropriate form linked **HERE** from Policy #3600RF.

**Form B:** This form may be attached to the class syllabus at the start of the year OR this verbiage may be included in the class syllabus with the parent permission verbiage being included on the typical "acknowledgement" of syllabus.

**Form A:** anything that may be found later in the year to add to the course as supplemental material