

# Four Things Schools Won't Be Able to Do Under 'Critical Race Theory' Laws



Monica Wilbur, center, expresses her opposition to critical race theory at the statehouse in Salt Lake City earlier this year, while Betty Sawyer, standing behind her, supports it.

Trent Nelson/The Salt Lake Tribune via AP

Conservatives and liberals are at loggerheads over what critical race theory is, if it's taught in schools, and whether it should be permanently banned from classroom discussions.

While the debate over critical race theory has driven the passage of laws restricting how teachers talk with students about America's racist past, only eight of the 26 bills actually refer to critical race theory, according to an Education Week analysis of proposed and passed legislation and state school board policies.

Portions of many states' bills are vague and myopic about what will and will not be allowed in schools. But other sections lay out in sweeping language exactly what administrators and teachers will no longer be allowed to do.

Many of the bills, for example, would drastically curtail how districts conduct anti-bias training for teachers and severely limit schools' ability to offer ethnic

studies courses, or partner with outside advocacy organizations.

Although the wave of state legislation has been dubbed as having to do with “critical race theory” by the mainstream media and by civil rights advocates, many of the classroom discussions that will ultimately be affected this fall don't have anything to do with race, in fact. Several of the bills will also shut down teacher-student discussions having to do with sex, gender discrimination, and LGBTQ identity.

The punishment, spelled out in the bills, is steep. In Arizona's pending legislation, if teachers talk about racism or sexism in the classroom, they could be [fined](#)

[\\$5,000](#). In Tennessee, these lessons will cost the school district state aid money.

Advocates for the bills say “divisive” classroom discussions can politically indoctrinate students and be demoralizing for white children.

But because the language in the bills is so broad, many social justice advocates fear that it will put a chilling effect on teachers discussing with their students any aspect of American racism, sexism, and homophobia.

“Teachers are already overstressed, as a result of the pandemic and teaching online,” said Amanda Vickery, an associate professor of social studies and race in education who teaches a course on critical race theory at the University of North Texas and trains teachers on how to incorporate Black women's voices into curriculum. “But now there is this heightened fear that I feel like these bills are causing for teachers.”

Here are concrete things that the laws will affect.

## **Discussions of racism will be limited**

What's most well-known by the general public to be under attack through these bills is the way teachers talk to students about the history of American racism.

But what's lesser known is that instead of banning teachers' use of critical race theory in the classroom, the laws proposed in most of the states prohibit anyone from making a student at school feel "discomfort, guilt, anguish or any other form of psychological distress on account of his or her race or sex."



Administrators who have closely read the bills or laws in their states say this sort of broad ban will make it difficult for teachers to talk about the day's news, most American social justice movements, and many historical events that involved explicit acts of white supremacy.

"If any child in the classroom at any point feels [discomfort], then the teacher essentially is violating this law," said Cecilia Robinson-Woods, superintendent of the predominantly Black Millwood school district in Oklahoma. "This law essentially, is saying that if you don't feel comfortable with it, you don't have to talk about it."

## **Anti-bias training and other anti-racism efforts could be curtailed or canceled**

In recent years, some school districts with shifting racial demographics have launched multi-pronged efforts to better serve students of color. They've formed diversity, inclusion and equity committees made up of students, teachers, and administrators, hired equity officers, and offered ongoing training for teachers to recognize and rid themselves of their unconscious biases, which many experts argue lead to, among other things, disproportionate suspensions and expulsions for Black and Latino students.

Now, in at least nine states, those efforts, advocates and district administrators say, would effectively come to a halt.

The [Texas](#) law, for example, makes it illegal for teachers to “be required to engage in training, orientation, or therapy that presents any form of race or sex stereotyping or blame on the basis of race or sex.”



Oklahoma’s law similarly bans diversity training “that presents any form of race or sex stereotyping or a bias on the basis of race or sex... .”

Districts across the country often partner with local community organizations to assist with efforts to make diverse groups of students such as English-language learners or homeless children feel more welcomed in the classroom.

But school districts in Texas and Iowa will have a difficult time hiring outside advocacy organizations to conduct this sort of training or offer lessons on anti-racism under their new state laws.

Iowa’s law, for example, says “the superintendent of each school district shall ensure that any curriculum or mandatory staff or student training provided by an employee of the school district or by a contractor hired by the school district does not teach, advocate, encourage, promote, or act upon specific stereotyping and scapegoating toward others on the basis of demographic group membership or identity.”

## Administrators will have to change their curriculum

A few years ago, the Dallas school district started offering courses on Black and Latino studies. Now, according to Superintendent Michael Hinojosa, it will have to stop offering those classes because the law in Texas requires teachers to teach social studies “without giving deference to any one perspective.”

In Oklahoma, school leaders were unsure whether teaching about the Tulsa Race Massacre—in which a white mob, with the assistance of the local government, murdered hundreds of Black people and burned down dozens of businesses—on its centennial is allowed, though officials disagree about this interpretation since the Tulsa massacre is in the state’s standards.



## Teachers and administrators will have to restrict conversations about sexism and gender identity

The bills also aim to restrict how schools can teach about sexism and gender identity.

Most bills would prohibit educators from teaching students that “an individual, by virtue of the individual’s race or sex, is inherently privileged, racist, sexist, or oppressive, whether consciously or subconsciously.”

The language in some states’ bills is even more explicit and bans classroom discussions about gender identity. For example, the proposed bill in Ohio would prohibit teachers from being required to “affirm a belief... in the multiplicity or

fluidity of gender identities or like ideas, against the teacher's sincerely held religious or philosophical convictions.”

To read the complete language of the bills and the laws already approved, visit Education Week's [Critical Race Theory tracker](#)