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Teacher Anti-CRT Bills Coast To Coast: A State By State Guide

Peter Greene Senior Contributor ⓘ*I look at K-12 policies and practices from the classroom perspective.*[Follow](#)

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More and more teachers are joining the club. GETTY

Bills proposing to keep teachers from teaching “divisive subjects” that cause students to feel “discomfort” and which aim broadly and vaguely at teaching about Critical Race Theory or LGBTQ issues have been popping up across the country for a year, and tracking the ever-shifting landscape has become challenging. Several organizations and individuals are making the attempt; in particular, I recommend the work of [PEN America](#). [Their](#)

[spreadsheet](#) provides a thorough view of what's happening with the many, many such bills.

Here's a state by state overview of what is happening out there. Note that I've tried to keep focus on just the bills and laws focused on restricting K-12 teachers, and have not fully pursued bills/laws aimed at transparency (making teachers post all materials), nor does this list attempt to be inclusive of all [bills aimed at LGBTQ students](#). The chilling effect is national, and getting chillier every day.

Alabama

Alabama's State Board issued an administrative rule prohibiting public K-12 schools from offering instruction that "indoctrinates" students in certain social or political ideologies. Now four bills are pending ([HB 7](#), [HB 9](#), [HB 11](#), and [HB 312](#)) aimed at K-12 and colleges, forbidding the teaching or "affirming" of certain concepts connected to gender, religion, or race. Instructors cannot be required to share their view about "widely debated and currently controversial issues."

Alaska

One pending bill ([HB 228](#)) would ban the usual certain concepts about gender, race, religion, ethnicity or national origin. Explicitly bans use of the 1619 Project. This bill would also allow parents to sue a school district for breaking the law.

Arizona

Arizona currently has an anti-crt law that covers state agencies. They currently have at least three bills in the pipeline ([HB 2112](#), [HB 2291](#)) aimed at K-12 and colleges barring the promotion or advocating of certain ideas and concepts related to gender or race.

The state Attorney General may bring a civil suit against violators. One of the proposals ([HCR 2001](#)) is for a constitutional amendment; that one forbids affirming ideas about race.

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Arkansas

Arkansas passed its anti-crt law a year ago, aimed only at state agencies.

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Colorado

Introduced just this month, [HB 1206](#) prohibits promoting certain ideas related to race , sex, or ethnicity. It also forbids segregation or “making distinctions” based on race or ethnicity; a few months ago, there was complaint about a [Colorado elementary school’s Families of Color Playground night](#).

Florida

Governor DeSantis was one of the first to issue an anti-crt edict, forbidding CRT and any other instructional materials that “distort” historical events, as well as banning the 1619 Project. Now two bills ([SB 242](#), [SB 148](#)) aim to ban anything that makes students feel “discomfort, guilt, anguish or any other form of psychological distress. Florida’s legislature is also contemplating what has become known as the “Don’t Say Gay bill ([HB 1557](#)), which bars schools from encouraging “classroom discussion about sexual orientation or gender identity.” DeSantis has said that he wants state gag laws [to include the right for parents to sue](#) over a civil rights violation if they believe a school or teacher has violated the law.

Georgia

Georgia has three brand new bills pending ([HB 888](#), [SB 377](#), [SB 375](#)). Covering K-12 and college, they ban training classroom employees to teach, act upon or encourage particular “divisive concepts.” In a particularly big reach, one bans K-12 schools from requiring students to engage in or observe a discussion of public policy.

Idaho

Idaho was an early adopter of anti-crt law, forbidding public schools from requiring any student to adopt the usual list of Critical Race Theory ideas. A newly proposed bill ([HB 488](#)) would add the right of private action to the law—the ability for a parent to sue the school—as well as loss of state financial support for violating the law.

Illinois

Illinois has two bills pending ([HB 5494](#), [HB 5505](#)) that ban promoting or including particular ideas about sex or race. One also requires that Marxism and socialism be addressed. Parents may file objections to any affirmation of certain ideas, and they may also sue.

Indiana

Indiana's previous [attempt was scuttled](#) when its sponsor suggested that it meant Nazis should get equal balanced treatment in the classroom. Now there are four new bills on their way ([SB 415](#), [HB 1362](#), [HB 1389](#), [HB 1134](#)) that ban including certain ideas about sex, race, and state and national history. Also, bans on gender and race diversity training, compelling students to affirm certain ideas or any anti-American ideologies. And teachers may not talk about sexual orientation or gender identity without parental consent. Parents may sue, and the state may withdraw financial support.

Iowa

Last year Iowa [passed a law](#) forbidding the promotion or the inclusion in curriculum of certain concepts. Now there are four new bills pending ([SF 478](#), [SF 2043](#), [SF 2037](#), [HB 2053](#)). One forbids any negative comments about the Pledge of Allegiance, while another forbids requiring teachers to discuss any controversial issues, and if teachers do so, they must take a balanced approach. Penalties are limited to discipline of the teacher or administrator involved.

Kansas

Kansas has just one bill pending. [HB 2662](#) would forbid displaying, presenting or distributing any material containing "sexual conduct" including homosexuality. The bill is notable because it does not

mention “explicit” material. This is a true Don’t Say Gay bill— any depiction of homosexuality would trigger it. The penalty would be criminal prosecution

Kentucky

Four new bills in Kentucky, including one introduced less than a week ago ([HB 14](#), [HB 18](#), [SB 138](#), [HB 487](#)). These include bans on gender and diversity training, classroom instruction or discussion of certain topics, negative claims about American history, and any materials that contradict certain approved versions of US history. Penalties include the right of parents to sue and loss of accreditation.

Maryland

[HB 1256](#) bans curricular inclusion of certain ideas about race and sex.

Michigan

Two bills have been in the pipeline since last year ([SB 460](#), [HB 5097](#)). One bans the 1619 Project and certain “anti-American and racist theories” while the other forbids any materials that “could be understood as implicit race or gender stereotyping.” (Like several other states, Michigan has also seen focus on using the debate [to promote school choice](#).)

Minnesota

Two brand new bills ([HF 2778](#), [HF 3301](#)) are aimed specifically at Critical Race Theory, forbidding its inclusion in either the K-12 classroom or teacher training.

Mississippi

[SB 2113](#) would forbid K-12 schools from requiring students to adopt or affirm certain beliefs about race or sex.

Missouri

Missouri has a whopping sixteen bills pending, all of them introduced since the start of 2022 ([HB 2132](#), [HB 2189](#), [HB 1634](#), [HB 1457](#), [HB 1767](#), [HB 1554](#), [HB 1484](#), [HB 1669](#), [HB 1815](#), [HB 1835](#), [SB 638/676/734](#), [SB 694](#), [SB 645](#), [HB 1474](#), [HB 2428](#), [SB 740](#)). As you might guess, the list of bans is extensive. The 1619 project is specifically banned, as well as any concepts or materials from it. “Divisive concepts” are banned. Certain ideas about race and sex are banned (and, just to be thorough, one bill bans any questions about them on tests). Students must be presented with a positive picture of US history. Discussions of current policy issues are banned. Requires a principle of “non-indoctrination” in which all political, religious or ideological ideas must be presented with opposing views.

Montana

Montana has in many ways bypassed these issues thanks to a state Attorney General [binding opinion issued in May](#) of last year that Critical Race Theory and certain other “anti-racism” programs are discriminatory and violate the state and US Constitutions as well as civil rights law.

Nebraska

[LB 1077](#) would ban teaching, advocating or promoting certain ideas about race or sex. Penalties include loss of state financial support.

New Hampshire

New Hampshire put many of its education reform ideas into the budget last year, including a ban on the teaching or promotion of certain ideas (leading to Moms for Liberty [offering a bounty](#) for any report of a teacher violating the law, which could result in the loss of the teacher's license). Now [HB 1255](#) looks to [amend the 70-year-old teacher loyalty requirement](#), requiring teachers to denounce Marxism and socialism. It would also forbid teachers to present any negative portrayals of the Founders.

New Jersey

[SB 664](#) and [SB 598](#) ban the inclusion of certain concepts in the classroom. Teachers are also forbidden to discuss politics—either issues or candidates.

New Mexico

[HB 91](#) specifically bans teaching Critical Race Theory, plus anything derived from it or overlapping with it. It also bans anything that creates feelings of “discomfort or guilt.”

New York

[A8253](#) and [A8579](#) involve bans on certain concepts in courses. One specifically bans the 1619 Project.

North Carolina

[SB 700](#) includes a transparency section, but is otherwise one of the most and simple of these laws. “When the viewpoint of one of the two major political parties in the United States is presented...the viewpoint of the alternative political party shall also be presented and given equal weight...”

North Dakota

Last November, [the state adopted a law](#) banning Critical Race Theory “in any portion” and requiring that all instruction be “factual, objective.”

Ohio

[HB 322](#) and [HB 327](#) include rules that teachers not be required to discuss controversial issues, but if they do so, the discussion must be from many perspectives. No teaching “divisive concepts.”

Oklahoma

Oklahoma already has a law banning certain concepts and diversity training tied to gender, sex, or race. But there are nine more bills waiting in the legislature, several less than a week old ([SB 614](#), [SB 588](#), [SB 1141](#), [SB 1142](#), [SB 1174](#), [SB 1250](#), [SB 1401](#), [SB 1654](#), [HB 2988](#), [SB 1470](#)). This is a motley group. It includes a bill that on the one hand requires an “unbiased education” but on the other requires that teachers not promote or endorse communism, socialism or Marxism—as well as banning classroom flags that promote the wrong ideas. Anti-American bias is forbidden by several of these. No course credit for political activity. No employing people who teach Critical Race Theory. No 1619 Project or anything including “related ideas.” Several include a private right of action, including the bill that would allow [parents to sue a teacher for contradicting religious beliefs](#).

Pennsylvania

[HB 1532](#) bans encouraging the adoption of a “racist or sexist concept,” making it one of several bills that could invite very different results than it sponsors might have in mind. And it includes the parental right to sue.

South Carolina

There is also a law on the books that absolutely forbids state money to be spent on anyone or anything that promotes certain ideas. More bills are on the way ([H 4343](#), [H 4392](#), [H 4605](#), [SB 982](#), [HB 4799](#)). These forbid any requirement for students to agree to certain concepts, including a ban on requiring students to agree with certain ideas about American history. One bill forbids discussion of “gender identity or lifestyles.” One bill includes action by the state Attorney General as a penalty.

South Dakota

South Dakota has three bills pending, two of which were sponsored by Governor Kristi Noem ([HB 1012](#), [HB 1337](#), [HB 1309](#)). These ban the inclusion of certain ideas related to race or sex in curriculum.

Tennessee

Tennessee was one of the first states to get on the crt-banwagon last year with a law that forbids the promotion of certain concepts in curriculum while requiring an unbiased, balanced discussion of the controversial parts of history. They now have five bills in the pipeline ([HB 800](#), [HB 2313](#), [HB 2673](#)). In addition to the banning of certain concepts, one of the bills bans any materials that “promote, normalize, support, or address lesbian, gay, bisexual or transgender issues or lifestyles”—another true Don’t Say Gay bill.

Texas

Texas passed a law banning certain concepts, class discussions of controversial topics and the 1619 project in March of 2021, then replaced it in August with [a similar ban that added transparency requirements](#).

Utah

[Utah passed its ban last year](#), forbidding material that promotes certain concepts related to sex, gender, race, religion, sexual orientation or gender identity.

Virginia

One of Glenn Youngkin's first actions as governor this year was to [ban crt via an executive order](#) that forbids schools to require students to “adopt or affirm” certain ideas about race, ethnicity, sex or faith. Now five brand new bills are pending ([HB 781](#), [HB 787](#), [HB 977](#), [HB 1068](#), [HB 1126](#)). These extend the same territory as the executive order, banning certain concepts; while the EO forbids making students adopt or affirm these forbid teaching or promoting the ideas. [HB 1126](#) adds to the list by also forbidding the teaching or promoting of certain ideas about the United States or capitalism. It also includes a bathroom bill mandating bathroom use only by members of the same “biological sex.”

Washington

[HB 1886](#) is a typical certain concepts ban, while [HB 1807](#) specifically forbids making any teacher use the 1619 Project, *How To Be An Anti-Racist*, and anything related to Critical Race Theory. If teachers decide to use those things anyway, they must be objective.

West Virginia

West Virginia's bills ([HB 2595](#), [SB 618](#), [SB 45](#), [SB 182](#), [SB 498](#), [HB 4016](#), [HB 4011](#)) all aim at forbidding schools and state agencies from teaching, including, or requiring agreement with certain concepts. One prohibits a list of specific topics, including Marxism, Maoism, communism, or critical economic theory—unless the teacher includes “the scope and scale of state sponsored terror and

murder, absence of legal process and protection of civil and political rights, forced labor, economic inefficiency and starvations” that came with such philosophies. Penalties include professional discipline parental right to sue.

Wyoming

[HB 97](#) bans the usual list of certain concepts, but for penalties it offers both private cause of action as well as charges brought by the local district attorney or the state Attorney General with a top fine of \$5,000 per teacher, administrator and school district.

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I spent 39 years as a high school English teacher, looking at how hot new reform policies affect the classroom.

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We should never erase history.....🙄

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