



## How Higher Education Institutions Can Combat Laws Limiting Discussions of Race and Racism

**Saran Stewart**, University of Connecticut

**Frank Tuitt**, University of Connecticut

**Kelly Schlabach**, University of Connecticut

In the United States, policymakers introduced 870 anti-critical race theory (CRT) proposals, attempting to prohibit learning about race and racism. These measures attempt to erase history and replace it with narratives that privilege White perspectives and harm racially minoritized communities in higher education. Policymakers have used a “copy and paste” structure in many of these policies, taking tools, ideas, and sometimes direct text from one bill to use in another.

These measures have a chilling effect throughout the country, where even institutions and faculty in states without explicit anti-CRT policies overcomply, changing their courses or institutions out of fear of negative impacts. Aligned with the impact we anticipated based on the legislation, a [recent study](#) found that as a result of these legal instruments, faculty are feeling isolated and anxious. Institutions can worsen these feelings of isolation and anxiety, or reduce them, depending on their responses.

Both faculty and institutions should be aware of the chilling effect anti-CRT measures create. Faculty should engage in resistance teaching, and institutions should strengthen institutional conditions in the support and protection of faculty.

### The Impact of Anti-Critical Race Theory Legislation

The legislation targeting teaching about race and racism has taken different approaches, but share some overarching goals. Taken as a whole, these policies:

- **Prohibit and Police CRT Instruction:** Some legislation, like in [Alabama](#), [Florida](#), and [Idaho](#), explicitly bans Critical Race Theory, while others implicitly target it. In both cases, enforcement mechanisms are put in place to surveil faculty and institutional efforts to teach about race and racism.
- **Restrict Racially Minoritized Students’ Access to Affirming Histories and Narratives:** By restricting or removing historical accounts that highlight the accomplishments and resilience of racially minoritized communities, these policies narrow students’ understanding of the systems and structures that have shaped racial inequities in the United States. [Proposed legislation in Florida](#) explicitly pursued this goal, and executive branch regulatory efforts have too with both the federal [Department of Education](#) and the [Arkansas Attorney General](#) using their authority in support of this goal.
- **Center and Privilege White Perspectives:** By prohibiting education related to race and racism, these policies re-center curricula on White experiences and viewpoints, thereby reinforcing an educational environment that privileges White perspectives in teaching and learning. Proposed legislation in [Indiana](#)

and Tennessee are useful examples, as well as the South Dakota Board of Regents' Opportunity for All statement.

The findings of our research show how all of these policies are a part of a larger effort to stop critical thinking about race and racism in the United States. These policies dismiss and silence the voices and histories of racially minoritized communities and perpetuate racism in the United States. Restrictions on curricula impact how faculty think about teaching and cause faculty to hesitate teaching about race and racism. Institutions have made choices based on this legislation impacting faculty. Faculty have been forced to cancel or modify their courses. Institutions have ended or reconfigured programs that focus on gender and race to capitulate to state and federal policies.

## How Institutions and Faculty Can Respond to Anti-Critical Race Theory Legislation

Faculty and institutions have opportunities to resist and respond to the chilling effect and broader impact of these policies.

Our research demonstrates the importance of what we call resistance teaching. This type of teaching requires professors to resist fearmongering narratives that deter them from teaching about race and racism. When professors teach, they should adjust their instruction to support all learners after assessing student engagement, access, and success across groups. Using the Critical and Inclusive Pedagogies can enhance the learning of all students and develop critical consciousness. Ultimately, a goal is to encourage students to use imagination and visioning to think of a world beyond White standards of excellence.

Institutions have the power to create conditions where faculty feel empowered to teach using the method of resistance teaching. Institutions should help create these conditions by doing four key actions:

- Resist fearmongering narratives that push faculty into overcompliance: banning and policing the teaching of race and racism even if not explicitly required by state and federal offices. When banned, some general education courses can better integrate broad civic, ethical, and academic language while examining systemic issues involving race, gender, and class.
- Use academic freedom as a lever to support faculty and their right to center race and racism in their research and teaching, including by drafting academic freedom policies that require attention to student success, inclusive learning environments, and institutional accountability and reframe DEI-initiatives as educational quality initiatives.
- Create co-curricular programs that foster racial literacy in informal reading groups and community learning programs.
- Create infrastructures of protection and support for faculty experiencing legal or personal recourse (trolling) for their research and teaching about race and racism.

**Read more in Stewart, S., Tuitt, F., & Schlabach, K. (2025). Plantation Pedagogy and the Politics of Erasure: A Critical Race Theory Perspective. *The Journal of Higher Education*, 96(7), 1409-1435.**

<https://doi.org/10.1080/00221546.2025.2542703>