



How University Administrators Should Respond to State Legislation Banning “Divisive” Curricula

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Policymakers in various states have proposed or passed legislation to ban critical race theory (CRT) in teaching. These policies reinforce whiteness, a concept that describes the structural advantages and disadvantages of various groups in society. Anti-CRT policies utilize language that prohibits dialogue about race or racism in teaching. Such language preferences race neutrality in ways that ignore how education systems have been designed to privilege the perspectives of the dominant group and ignore how others have been marginalized.

How Policymakers Rationalize Anti-CRT Legislation

Our study examines the reasoning behind legislation that aims to limit how race is taught in schools. We focus on how policymakers explain and justify these efforts, paying close attention to the language they use. For example, policymakers use emotional language (e.g. blaming students for past injustices) that situates the dominant group as victims and keeps the focus on the individual level rather than on issues of structures and systems in society. Additionally, many policymakers argue that race and other social identities should not be mentioned in teaching, which fails to acknowledge the experiences of marginalized individuals. They frame this approach as a way to ensure curricula remain historically accurate or objective. In practice, however, this approach is subjective and provides a limited version of history to protect the United States' image.

The Effect of Anti-CRT Legislation across Campuses

Policies centered on prohibiting CRT and race-conscious curricula affect various groups within higher education. Over the past couple of decades, there was a focused effort on creating curricula that were more inclusive of voices and histories that have been silenced. With the recent rise of anti-CRT policies, those efforts are now being threatened, which means that current students will see less representation of their diverse identities and experiences in curricula. This undoubtedly affects the faculty in charge of creating class content, who must make decisions about which type of knowledge students are exposed to. Faculty must interpret policies to determine the limits on their ability to create course content that includes issues of race and social inequities, often with very little guidance of what meets compliance standards under the law.

Administrators play a significant role in how these anti-CRT policies are interpreted and reinforced. When there is little guidance for faculty about how to teach course content that may be misrepresented as divisive in anti-CRT policy, such an environment creates a state of fear for faculty regarding the reprimand that they might face. When administrators approach policy with vagueness about the meaning of language used within the law, the resulting environment of uncertainty could possibly reverse years of progress made in higher

education towards more equitable practices and curricula.

How Can University Administrators Create Supportive Environments?

In order for administrators to combat the ways that policymakers are silencing perspectives about race and racism that have been historically underrepresented, these individuals must be aware of the consequences of policy language. Below we provide some actionable strategies that university administrators must uphold to support faculty and the students they support:

- **Protect academic freedom.** Institutions must safeguard the ability of faculty to teach and research on various topics. For academic freedom to thrive and for truly transformational dialogue to occur in the classroom, administrators such as department chairs and deans must create an environment of support rather than fear and self-censorship. Support for faculty comes in the form of articulating how legislation affects tenure and promotion as well as maintaining the content of courses that faculty have mastered in their teaching.
- **Provide clear guidance.** In this anti-CRT climate, administrators must ensure that staff and faculty understand what is and is *not* prohibited by state policy, as the ambiguity of policy language and the threat of possible reprimand may lead to unnecessary censorship. Individuals who make decisions within specific divisions, colleges, and at the university level of senior leadership should avoid making changes that are not specifically required, as being reactionary often leads to overcompliance.
- **Advocate for equity.** Administrators in reviewing their practices in response to state policies can still advocate for the representation of various perspectives in the classroom. Because anti-CRT policies often mischaracterize academic content that addresses issues of racism or other forms of oppression, university leaders need to be willing to speak out to preserve content that is permissible and equity centered.

As state legislators increasingly seek to control discussions in university classrooms, administrators must be aware of how policy rhetoric can have detrimental consequences to the progress that has been made to center voices once excluded from curricula. Although legislation espouses the importance of race neutrality in this current political climate, administrators must be reminded that faculty and the courses they teach play an important role in addressing long-standing issues of power and inequity in society.

Read more in Veronica A. Jones and Kaleb L. Briscoe, "The Legal Logic of Whiteness: A Critical Discourse Analysis of Policymakers' Rhetoric in CRT Legislation." *The Journal of Higher Education* 96, no. 7 (2025): 1271-1299.