

# HARMFUL LEGISLATION BEFORE THE ALABAMA LEGISLATURE

Senate Bill 7 and House Bills 8, 9, 11, and 312 are the latest efforts to silence honest discussions of our country's history and deny the experiences of Black people, other people of color, women, and LGBTQ+ individuals.



Alabama students, parents, and educators are facing unprecedented challenges in the public education system. Prior to the pandemic, data on reading and math performance showed stark disparities between Black and white fourth and eighth graders across Alabama. In addition to many students of color being denied a quality education, schools are now battling critical teacher and food shortages,<sup>1</sup> and working to address concerns of bullying<sup>2</sup> and interrupted learning due to the pandemic.<sup>3</sup> Parents, students, and educators are facing potentially harmful laws that could ban accurate and inclusive school curricula – the exact opposite of providing a quality education.

<sup>1</sup> Ashley Bowerman, "Alabama schools facing 'unprecedented' food shortage," WISTV (Sep. 28, 2021), <https://www.wistv.com/2021/09/28/alabama-schools-facing-unprecedented-food-shortage/>.

<sup>2</sup> Tim Benson, "Research & Commentary: New Report Ranks Alabama as Having Tenth-Biggest Bullying Problem in the U.S.," Heartland Institute (Nov. 10, 2021), <https://www.heartland.org/publications-resources/publications/research-commentary-new-report-ranks-alabama-as-having-tenth-biggest-bullying-problem-in-the-us>.

<sup>3</sup> "Education in a Pandemic: The Disparate Impacts of COVID-19 on America's Students," Department of Education, Office of Civil Rights (June 9, 2021), <https://www2.ed.gov/about/offices/list/ocr/docs/20210608-impacts-of-covid19.pdf>.

SB 7

HB 8

HB 9

HB 11

HB 312

These bills may risk lowering academic achievement, negatively impacting school climate, impeding teachers from doing their jobs, and preventing students from receiving a full, inclusive, quality education.

Alabama legislators have introduced five bills which may prevent schools, state contractors, and government agencies from discussing the full legacy of racism, sexism, homophobia, and other systemic inequities in Alabama and the United States.

## SENATE BILL 7 AND HOUSE BILLS 8 AND 9

Prohibits all public educational institutions, government agencies, municipalities, and state contractors receiving Alabama state funding from discussing, teaching, or training on a wide range of topics which are vaguely labeled as “divisive concepts,” “race or sex scapegoating,” and “race or sex stereotyping.”

These prohibitions, modeled after President Trump’s executive order 13950 which was found by a federal court to be unconstitutional, are ambiguously drafted and may chill or censor discussions about the role of racism and sexism in the founding of our country and in present-day structural inequities.

Entities that implement racially-inclusive curricula or training using the identified concepts may risk losing state funding.

## HOUSE BILL 11

Prohibits public educational institutions from directing or compelling students to affirm, adopt, or adhere to certain tenets, inaccurately defined as part of “critical race theory,” and prohibits introducing a course of instruction or unit of study doing the same.

Public educational institutions are also prohibited from distinguishing or classifying students by race or color, a practice commonly used to assess racial disparities in school discipline and academic achievement.

Requires public educational institutions to terminate educators who violate the bills’ confusing provisions.

## HOUSE BILL 312

Prohibits K-12 schools from teaching or training on, and higher education institutions from requiring assent to, a wide range of topics which are vaguely labeled as “divisive concepts.” These including prohibiting teaching that “slavery and racism are anything other than...betrayals of the founding principles of the United States.”

Prohibits schools and universities from seeking federal funding intended to fund training on the identified concepts.

Permits public educational institutions to terminate educators who violate the bill’s confusing provisions.

Discrimination on the basis of race, sex, ethnicity, religion, color, or national origin, which this legislation purports to prohibit, are already banned by state and federal civil rights laws. This bill may also prohibit schools from identifying racial disparities in school discipline, academic achievement, and access to educational opportunities and developing solutions that are targeted to those students.

All five bills potentially have an incredibly broad reach and may restrict Alabamians from learning about or expressing viewpoints related to the history of racism, sexism, homophobia, and implicit bias in Alabama, and the United States and their continuing legacy. Every student should have the right to receive an accurate and inclusive education. Truthful and inclusive discussions about United States and Alabama history, as well as current events pertaining to ongoing race and gender inequalities, are essential to quality academic instruction.

To learn more or join efforts to stop these proposals from becoming law, visit: [naacpldf.org/al-school-testimony](https://naacpldf.org/al-school-testimony)