Likely not. CRT is a highly specific and advanced field of study typically taught in advanced college courses, graduate schools, and law schools. This does not mean, however, that the topic of race is never discussed in Tennessee schools. Historical concepts like slavery, the civil rights movement, and desegregation are still a part of Tennessee's education curriculum. (See Tennessee State Academic Standards for Social Studies, available at [https://bit.ly/TN-social-studies-standards](https://bit.ly/TN-social-studies-standards)).

We oppose Tennessee’s oppressive and vague policy, which threatens free speech in the classroom. Moreover, the law threatens our understanding of the roles race, racism and legalized discrimination have played in American history.

Below are some FAQs regarding critical race theory.

**What is Critical Race Theory (CRT)?**

Critical Race Theory is a theoretical framework that emerged from the legal academy in the 1970’s. It is a practice of studying how the social construct of race permeates and is institutionalized in the various structures of American society – e.g., the criminal justice system, public education system, housing and labor markets, healthcare system and other modes of cultural expression such as literature, philosophy, art and history. A scholar who studies CRT might ask, “How do the legacies of slavery, segregation, and discrimination continue to shape how Black Americans and other people of color live in our nation today?”

CRT is not about attributing racism to white people as individuals or assigning racist intent to specific people or groups of people. Nor does it aim to make those who study CRT feel a certain way. Rather, CRT is an academic endeavor to uncover the ways in which America’s seemingly “neutral” and “colorblind” laws, policies, social mores, and institutions perpetuate and reproduce racial inequality.

**Is “critical race theory” being taught in Tennessee’s K-12 classrooms?**

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In fact, Tennessee state law requires that all public schools provide age-appropriate “courses and content designed to educate children in black history and culture and the contribution of black people to the history and development of the world.”

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4. Tenn. Code Ann. § 49-6-1006
What topics does the new law in Tennessee’s K-12 classrooms “ban” from being taught?

The law outlines a series of 14 “concepts” which may not be taught in Tennessee’s schools, including the following:

- That an individual, by virtue of the individual’s race or sex, is inherently privileged
- That a meritocracy is inherently racist or sexist, or designed by a particular race or sex to oppress members of another race or sex
- That this state or the United States is fundamentally or irredeemably racist or sexist

Prohibitions on these concepts should give Tennesseans pause. The provisions of the bill are so vague that they will likely ban or chill an even broader range of content from the classroom.

For example, does this provision bar teaching that some of America’s Founding Fathers – indeed fundamental to American government and society – espoused racist views or owned slaves? Surely our Founding Fathers were “fundamental” to the American story.

Another section of the bill requires “impartial” instruction on histories of racial oppression. What is meant by “impartial?” Should teachers avoid offering moral judgments on the practice of slavery? Or the deprivation of the voting rights of non-white, non-male Americans for more than a century?

These vague mandates incentivize teachers to avoid discussions of race and gender altogether. If teachers overstep these indeterminate boundaries – intentionally or not – they risk the state withholding funding to their school (not to mention their own careers). This threat prevents teachers from engaging students in challenging academic discussions.

Have any states been sued over CRT legislation?

Yes. The ACLU – alongside national and local partner organizations – have filed suit in federal court challenging Oklahoma’s classroom censorship bill. The lawsuit argues that the bill “not only chills students’ and educators’ First Amendment right to learn and talk about these issues, but it also prevents students from having an open and complete dialogue about American history—one that includes the experiences and viewpoints of all historically marginalized communities in this country.” It asks the court to declare the bill unconstitutional under the first and 14th amendments and to issue a preliminary injunction. The lawsuit is still pending.

If this law affects you, we want to hear from you.

**If you are a student** and your school has prohibited you from discussion with other students, forming a club, reading or presenting on a certain book or topic, or has inhibited your speech any other way, please contact ACLU-TN at: http://bit.ly/ACLUTNGetHelp.

**If you are a teacher** and have been told to change curriculum or course instruction, disciplined for something you’ve said or taught, or told to remove a book from the classroom or library because of this law, please contact ACLU-TN at: http://bit.ly/ACLUTNGetHelp.

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