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Oct. 4, 2021**Open Letter and Call to Action to University and College Faculty**

As educators, we know that the proliferation of “divisive concepts” bills enacted in eleven states and introduced in over a dozen more must be condemned in the strongest of terms. As previously articulated by the American Association of University Professors, the American Historical Association, the Association of American Colleges and Universities, and PEN America in their June 16, 2021 joint letter signed on by over 149 additional organizations, this repressive legislation is nothing more than “an infringement on the right of faculty to teach and students to learn.” We cannot allow partisan politicians to dictate what can and cannot be taught in our classrooms over the professional judgment of college and university faculty.

We write now to urge those in higher education to take the next step in voicing our strongest opposition to these attempts to censor classroom discussions of structural racism, sexism, and inequalities that permeate our society. We must push back against these insidious censorship bills by calling upon our institutions of higher learning to respect and support open and candid dialogue about our shared history and present-day conditions. We must also work in solidarity with K-12 teachers who are on the front-line of attack in states where such legislation has passed, and who are subjected to [harassment, firing, and license decertification](#), even for those [suspected](#) of teaching “divisive concepts.” We must support K-12 teachers organizing against these regressive bills, like [Black Lives Matter at School](#) and those who have [pledged to #TeachTruth](#).

As faculty facilitating classroom conversations, we are well aware that the term “divisive” is impossibly vague, indeterminate, and highly subjective. And that’s the point. These bills are designed to chill speech about race, gender, and structural discrimination and to deter faculty from exploring a wide variety of topics to foster critical thinking. For example, to enforce these censorship laws in the name of “viewpoint diversity,” individual students who may feel “discomfort” in classroom conversations are [encouraged to film classroom discussions without instructor consent to use as evidence in criminal or civil proceedings against faculty](#). As Ellen Schrecker, respected expert on McCarthyism recently [wrote](#), the attempt to use the state to restrict teaching about race and racism is, in fact, “worse than McCarthyism,” because “the red scare of the 1950s marginalized dissent and chilled the nation’s campuses, but it did not interfere with such matters as curriculum or classroom teaching.”

Even for faculty whose teaching and research expertise falls outside of the currently targeted areas, these bills represent a radical limitation of the right of faculty to design courses, curriculum, and pedagogy to best meet the needs of their students. Once such a precedent is established, lawmakers would be emboldened to pass similar restrictions on faculty teaching and research in other fields, including climate science, public health, reproductive medicine, election law, and even evolution

**We must collectively demonstrate that faculty are organized on our own campuses across the country to fight back.** We must explicitly reject these bills, *whether they have been proposed or passed in our particular states or not*. How will we do this? Faculty must use our most powerful channel of shared governance—our senates and university assemblies—to make strong statements rejecting political interference in higher education to serve narrow partisan interests.

As signatories to this letter, we demonstrate our commitment to defending our academic freedom to teach about race and gender justice and critical race theory and to stand with our K-12 colleagues. To this end, please find the following useful resources. One is a [resolution template](#) you can propose at your Faculty Senate or University Council, entitled, “*Defending Academic Freedom to Teach About Race and Gender Justice and Critical Race Theory*.” The template can be adapted to what you think would be most effective at your institution. The next [sample resolutions](#) demonstrate how faculty at two campuses (Portland State and DePaul University) incorporated language from their governance documents and mission statement into the resolution.

We hope you share this communication with a few of your colleagues and, together, draft, introduce and help pass this resolution at your institution. Once you do, [please share your resolution with us](#) so we can list it on our website. If you have any questions, please contact [Jennifer Ruth](#), professor of film studies at Portland State University, [Emily Houh](#), professor of law at University of Cincinnati, or [Valerie Johnson](#), professor of political science at DePaul University. Jennifer, Emily, and Valerie lead our Higher Education initiatives out of the AAPF’s #TruthBeTold campaign and will be happy to help you strategize about how to pass the resolution on your campus. If you are interested in joining our faculty resolution organizing team to help reach out to our flagship universities, Historically Black Colleges and Universities (HBCU’s), Hispanic-serving institutions (HSI’s) and other institutions, please email us at [truthbetold@aapf.org](mailto:truthbetold@aapf.org).

Sincerely (list in formation; titles and institutions for identification purposes only),

**2021 Critical Race Theory Summer School Steering Committee**

DEVON CARBADO, *Professor, UCLA School of Law*

SUMI CHO, *Professor, DePaul University College of Law (retired)*

KIMBERLÉ CRENSHAW, *Professor, Columbia Law School and UCLA School of Law*

LUKE CHARLES HARRIS, *Professor, Vassar College*

DANIEL MARTINEZ HO SANG, *Professor, Yale University*

GARY PELLER, *Professor, Georgetown Law Center*

**#TruthBeTold Higher Education Committee Conveners**

EMILY HOUH, *Professor, University of Cincinnati College of Law*

VALERIE JOHNSON, *Professor, DePaul University*

JENNIFER RUTH, *Professor, Portland State University*

**To add your name to the list of signatories, please fill out this [form](#).  
Feel free to share with your faculty colleagues!**

**Resources (partial list only):**

Faculty are speaking out against these bills and organizing events. [Kimberlé Crenshaw](#) (professor of law at UCLA and Columbia and co-founder of African American Policy Forum) explains what's behind these bills. [Khiara Bridges](#) (professor of law at UC Berkeley) reveals the hidden agenda behind these attacks. [Gary Peller](#) (professor of law at Georgetown University) rebuts the coordinated disinformation claims against Critical Race Theory. [Jennifer Ruth](#) (professor of film studies at Portland State University) analyzes how “divisive concepts” bills co-opt the “colorblind” language of civil rights. [Peter Laurence](#) (professor of architecture at Clemson) discusses the legislation that passed in South Carolina. [Eric Smaw](#) (professor of philosophy at Rollins College) analyzes the viewpoint diversity bill that passed in Florida. [Pranav Jani](#) (professor of English at Ohio State University) critiques the proposed Ohio legislation. [Emily Houh](#) (professor of law at University of Cincinnati) provides testimony against proposed bills in Ohio before the Ohio State and Local Government Committee. And finally, [here](#) is an event that was held in late August to raise awareness about Ohio's “divisive concepts” bills.