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## **‘Divisive concepts’ bill returns to Alabama legislature, called ‘slap in the face’**

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State Rep. Ed Oliver, R-Alexander City, talks about his bill to ban the teaching of 'divisive concepts' in public schools. He brought a bill in 2022 and again in 2023. (Mike Cason/mcason@al.com)



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The debate over what Alabama students should learn about race and history has reignited in the state legislature, resulting in a committee vote that Black lawmakers called a “slap in the face.”



"I can bet all the tea in China that when we have this vote... it's going to be on racial lines," said Rep. Kelvin Lawrence, D-Hayneville, as a committee of lawmakers prepared once again to push a "divisive concepts" bill to the House floor.

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HB7, authored by Rep. Ed Oliver, R-Dadeville, prohibits public schools, colleges and other state agencies from promoting certain "divisive topics" related to race, sex or religion. The legislation, which has 21 white, Republican cosponsors, was approved 9-3 in committee Wednesday.

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The three opposing votes came from Black lawmakers.

"This is a slap in the face to every decent, hard working Black Alabamian that's in this room, that's out of this room, and to the children and the unborn," said Rep. Prince Chestnut, D-Selma, just before the vote. "It's divisive that not a single white person on this committee is going to vote against this bill. That's divisive."

Oliver's bill, which he said was "designed to prevent racism in schools and state agencies," is the latest version of a series of bills to take aim at diversity programming and classroom instruction.

"Obviously, most of the people in this state are concerned about what our kids are being taught," he said at a hearing Wednesday. "It simply prevents the teaching of some divisive concepts, which we have discussed in great detail, that we believe would tend to teach them racist ideas."

A similar bill, HB312, passed in the House last year, but time ran out in the session before the Senate issued a vote. Lawmakers instead passed a bill that restricted certain LGBTQ topics in elementary classrooms.

HB7 prohibits the teaching of seven concepts, down from the 11 proposed in previous legislation, and includes allowances for discussions of the concepts at the college level, as long as they are taught "in an objective manner and without endorsement."

### **Public response**

In a hearing Wednesday, two people spoke in favor of the bill.

Both speakers linked divisive concepts to critical race theory, an academic concept that they claimed was seeping into K-12 instruction.

"Critical race theory is a college-level theory, however concepts and tenets are being taught in K-12," said Becky Gerritson of the Eagle Forum, noting a "privilege walk" exercise that she said required students to disclose their socioeconomic status.

Others questioned the legislation's intent and said they believed the bill wouldn't actually address racism in the classroom. One called the bill a "candid display of deliberate dishonesty." Another said it was "based off white fragility."

"Rather than play these games, why don't we make a full repudiation of the things of the past, and move forward with healthy discussion, dialogue and debate?" said Robert White, a Montgomery pastor.

Stevie Rae Hicks, a Montgomery educator, said the bill was "designed to distort the truth" and similar efforts have had a "chilling effect" on classroom instruction.

"The past few years have been very hard for educators," she said, noting the challenges of the pandemic. "All to return to our classroom amid a wave of efforts by lawmakers to censor classroom discussions, strip funding from public schools and deprive Alabama's children of an education they deserve."

Among 2,000 teachers surveyed nationwide, 37% said they are more likely to leave the field if a push for laws that "prevent honest teaching and conversations" reaches their classrooms, according to data from Stand for Children, a nonprofit advocating for equity in public education, and SurveyUSA, an independent research firm.

"My students are very smart and very inquisitive," Hicks added. "They have questions about what they notice about the world. And they deserve good answers."

Jeff Walker, an Auburn parent, said the bill is disrespectful to educators, who he trusts to lead responsible discussions about difficult topics.

"I'm really tired of hearing people stand up and saying things like 'wokeism' and CRT," he said. "Really what they're trying to demonize is compassion for vulnerable members of our society and understanding of the plight of your neighbor that may be different than your own."

### **History of divisive concepts bills**

"Divisive concepts" bills first emerged after a 2020 Executive Order from former President Donald Trump, which targeted diversity trainings in government institutions and took aim at critical race theory, a 50-year-old legal concept typically taught in law school classes.

A 2023 study from UCLA Law identified more than 500 anti-CRT measures across local and state governments since 2020. Nearly half – 241 – were enacted or adopted and 41% used the term "divisive concept."

The Alabama State Board of Education officially banned the topic in October 2021, despite claiming it was not taught in K-12 classrooms.

In a recent interview with Rightside Radio, Oliver claimed the critical race theory "sexualized and racialized" children. In previous discussions about his bill, he claimed teachers were "proselytizing" children to become socialists and communists. He would not give specific examples of such lessons.

"Ultimately, the reason that the left wants to push CRT amongst little kids is simply they want to sexualize them. They want to racialize them at an early age to make them easy to manage, pure and simple," he said. "I hate to say a way to create more left-wingers that



are woke and will do the things that the left wants them to do, but that's exactly what it is, to divide people. To make groups fight each other, so they're easier to manage."

### **Next steps**

Oliver said Sen. Will Barfoot, R-Pike Road, plans to carry a companion bill in the Senate. He also plans to introduce a second bill that will target diversity, equity and inclusion training in state colleges, he told Rightside Radio. The state GOP has said it wants to abolish many diversity trainings and DEI initiatives in the state.

Meanwhile, another bill seeking to make history instruction "more inclusive" could be up for a vote soon.

SB180, authored by Sen. Rodger Smitherman, D-Birmingham, tweaks the state's 1975 curriculum law to ensure that social studies lessons are "historically accurate" and inclusive of minority groups.

It was given a favorable report in committee Wednesday and will head to the Senate floor for a vote.

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