



LGBTQ Historical Organizations Denounce Second Year of “Don’t Say Gay” Bills: Legislation in Multiple States Deepens Threat to Inclusive and Accurate K-12 History

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As the professional U.S. organizations for lesbian, gay, bisexual, and transgender (LGBT) history scholarship and teaching, we firmly denounce a second year of proposed “Don’t Say Gay” laws targeting K-12 schools, curricula, and libraries. If passed, these bills will profoundly harm students’ rights to an accurate, inclusive, and relevant history education. As shown by states such as California and New Jersey, LGBTQ-inclusive history curriculum can be taught at all grade levels in developmentally appropriate ways. The Organization of American Historians’ Committee on the Status of Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Historians and Histories and the Committee on LGBT History, an affiliate of the American Historical Association, reject such measures as a form of historical erasure motivated by anti-LGBTQ hostility and ignorance. We point to scholarship that has amassed over the past forty years which can inform an LGBTQ-inclusive history and social studies at all levels. It is deeply concerning that momentum for such legislation [continues unabated for a second year](#).

“In Florida, the Republican-dominated legislature and Governor Ron DeSantis are cynically pushing this law under the guise of ‘parental rights,’” said Professor Chelsea Del Rio, Co-Chair of the Committee on LGBT History. “Clearly, the GOP sees stoking a culture war as politically expedient, but such lawmakers have no regard for the many LGBTQ+ young people who will be harmed by this law and little concern for the overall quality of K-12 education. Study after study shows that LGBTQ-inclusive curriculum not only makes schools safer for queer and trans students, it improves school climate overall.”

A 2018 study of the seven states with older versions of the “Don’t Say Gay” laws still on the books found lasting consequences far beyond the health curricula they censored. Schools in these states were less likely to include LGBTQ people and topics in their curriculum overall. This study also found that those same schools were *more* likely to include negative representations than schools in other states. They were also less likely to have LGBTQ-supportive teachers, administrators, and student resources. ([GLSEN, 2018](#))

“LGBTQ people have been part of our nation’s past. We are important constituents in our present. We inevitably will help shape our future,” said Professor Anthony Mora, Chair of the OAH Committee on LGBTQ Historians and History. “Knowing our histories, especially the dramatic fight for LGBTQ civic equality, can help all students learn about the ways that our society strives to enact fundamental principles of fairness and liberty. The politicians who push ‘Don’t Say Gay’ laws should not be allowed to trample the basic rights of all students to an accurate and useful history education. Students must be able to learn about people like their family, their friends, and themselves who made difficult choices in the past. That cannot happen if we allow an overbearing state to intimidate their teachers and librarians.”

Last year, Arizona, Arkansas, Florida, Montana, and Tennessee passed laws requiring parental notification and/or opt-out for the teaching of LGBT-inclusive curriculum, which extends beyond sexual health education to all content areas, including history education. Louisiana, Mississippi, Oklahoma, and Texas have laws prohibiting educator discussion of LGBT-related issues or people that are holdovers from the earlier “No Promo Homo” laws of the 1980s and 1990s.

We are following closely the anti-LGBT K-12 history education threats in the 2022 legislative sessions:

- In Florida, on March 8, the Senate passed HB 1557, which tucks into a so-called “Parental Rights” bill prohibitions on teaching about sexual orientation or gender identity in K-3, as well as overall in ways that are not “age appropriate or developmentally appropriate.” Governor DeSantis has signaled his support for it.
- In Indiana, HB 1040, a currently pending bill, would require parental notification for any instruction related to “human sexuality,” including “sexual orientation” and “gender identity.”
- In Kansas, HB 2662, a currently pending “Parental Rights” bill would ban K-12 schools from displaying or presenting materials containing “sexual content,” including the broad and vague term “homosexuality,” which could potentially apply to teaching about the LGBTQ rights movement or creating a LGBTQ History Month display.
- In Oklahoma, the pending SB 1654 would ban public school districts, charter schools, and libraries from “maintaining” or “using... curriculum books that make as their primary subject the study of lesbian, gay, bisexual, or transgender issues.” A second bill, SB 1470, would bar school employment of “a person that promotes positions in the classroom or at any function of the public school that is in opposition to closely held religious beliefs of students.”
- In Tennessee, State Rep. Bruce Griffey has reintroduced last year’s HB 800, which seeks to ban educational materials in any subject that “promote, normalize, support or address lesbian, gay, bisexual or transgender (LGBT) issues or lifestyles.”
- In West Virginia, the pending HB 1406, in a long list of banned content areas, prohibits the teaching of “biologically and/or genetically counterfactual curricula” and defines “biological sex” as “determined by X and Y chromosomes.”

In addition, there are over 100 of the so-called anti-“critical race” bills that also include bans or prohibitions on K-12 discussions of certain concepts regarding race and “sex.” These could potentially exclude discussion of different sexual orientations, gender identities, and LGBTQ movements and histories. Moreover, a raft of new bills seek to continue the legislative assault on the rights, health, and educational access of transgender youth and their families. While these bills vary, they are all committed to marginalizing and harassing LGBTQ individuals, families, and basic knowledge. Understood in this context, the legislative attack on accurate, inclusive, and accessible K-12 history education is even more troubling.

The OAH Committee on the Status of LGBTQ Historians and Histories and the CLGBTH applaud those political leaders who recognize the profound harm such laws would bring to students, educators, and history education in a pluralistic democracy. An inclusive, non-restricted history education aligns with the best practices of social studies, according to a [National Council for the Social Studies \(NCSS\) position statement \(2019\)](#). In it, the NCSS “fully recognizes and supports the civic, ethical, and moral imperatives to advance a

more historically accurate, complete, and empowering social studies curriculum that contextualizes LGBT+ history,” adding, “The social, cultural, and political implications of sidelining, omitting, and/or misrepresenting certain cultural groups are damaging and antithetical to a true democratic education.”

Our nation’s students, educators, school districts, and society deserve far better than these divisive, ill-conceived, and ahistorical “Don’t Say Gay” bills.

The Organization of American Historians Committee on the Status of Lesbian, Gay, Bisexual, Transgender, and Queer Historians and Histories, founded in 2013, considers all professional issues bearing upon U.S. LGBTQ historians in the historical profession as well as the study of U.S. LGBTQ histories.

The Committee on LGBT History, founded in 1979, is an affiliated society of the American Historical Association. It promotes the study of lesbian, gay, bisexual, transgender, and queer topics in the past and present by facilitating communication among scholars in a variety of disciplines working on a variety of cultures. It encourages the development of specialized courses in LGBTQ studies as well as the inclusion of LGBTQ topics in general history courses; it supports local history archives and history projects; it coordinates activities with other professional caucuses and organizations; and it seeks to prevent discrimination against LGBTQ historians.