



## **Major LGBTQ Historical Organizations Denounce New Wave of “Don’t Say Gay” Bills: Legislation in Multiple States Threatens K-12 Access to Inclusive and Accurate History**

May 11, 2021—The professional U.S. organizations for lesbian, gay, bisexual, and transgender (LGBT) history scholarship and teaching denounce a new wave of proposed “Don’t Say Gay” laws targeting K-12 schools and curriculum as profoundly harmful to accurate, inclusive, and relevant history education. 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 based in historical erasure, anti-LGBTQ hostility, and ignorance regarding 40+ years of academic research in LGBTQ-inclusive history and social studies.

“At the height of anti-AIDS hostility in the 1980s and 1990s, multiple states passed ‘No Promo Homo’ laws that targeted any health education that was LGBT-inclusive,” said William Kuby, Executive Director of the Committee on LGBT History. “These new, more broadly defined bills go much further than the old laws, trying to directly censor and stigmatize LGBT-related content in all subject areas, including history education. With the new ‘Don’t Say Gay’ laws, students would be precluded from learning about the modern LGBT civil rights movement, or even discussing the histories leading up to major Supreme Court decisions. This won’t only harm LGBTQ youth, but the education of all students.”

A 2018 study of the 7 states with “No Promo Homo” laws finds that these older laws have had lasting consequences far beyond the health education curriculum. Schools in these states are less likely to address LGBTQ people and topics in their curriculum overall, but more likely than schools in other states to include negative representations. They are also less likely to have LGBTQ-supportive teachers, administrators, and student resources. ([GLSEN, 2018](#))

“In the U.S., one of the core functions of history education has been to prepare young people to become informed and active citizens in a diverse and pluralistic democracy. These bills fly in the face of that tradition,” said Professor Anthony Mora, Chair of the OAH Committee on LGBTQ Historians and History. “LGBTQ history is part of U.S. history, world history, and social studies. Legislating parental opt-outs only serves to restrict an informed understanding of history based on a presumption that some people from the past did not matter. We forcefully counter that LGBTQ people and their experiences cannot be excluded from our discussions without obscuring the past. Knowing about the LGBTQ people who fought within the Black freedom struggle or suffered during the Holocaust, as just two examples, adds to our deeper sense of shared humanity. The youth of these states have a right to a full education about that past. This will allow them to more fully engage with our shared present and future.”

Anti-LGBT K-12 history education threats in the 2021 legislative session include:

- In Tennessee, on May 3, Governor Bill Lee (R) signed into law SB 1229, which requires a 30-day notification of a student's parent or guardian prior to any curriculum, including in history and social studies classes, that mentions sexual orientation or gender identity.
- In Arkansas, a similarly broadly worded LGBTQ content parental notification bill (SB 389) has passed the legislature and is under consideration by Governor Asa Hutchinson (R) to become law.
- In Montana, another such bill (SB 99) has passed the state legislature and is on the desk of Governor Greg Gianforte (R) awaiting possible signature.
- In Missouri, a similar bill (HB 786) has been amended so that parental permission is not required when “referring to the sexual orientation or gender identity of any historic person, group, or public figure if such

information provides necessary content in relation to any topic of instruction.” It is still in the House Education Committee. On a positive note, another bill (HB 655) would allow school districts to include the roles and contributions of lesbian, gay, bisexual, and transgender people in the history of the United States, including social movements, persecution, relation to current equality efforts, and cultural influence. Unfortunately, since January, it has stalled after its second reading.

- In Iowa, a bill (SB 167) that singles out the prohibition of K-6 teaching about “gender identity” in all subjects, including social studies, unless parents specifically opt-in, was in the Senate Education Committee when the legislative session ended.
- In West Virginia, HN 2157 attempted in the broadest of language to “forbid the teaching of sexuality in public schools.” It never made it out of committee before the legislature adjourned.
- In Tennessee, HB 800 sought to ban educational materials in any subject that that “promote, normalize, support or address lesbian, gay, bisexual or transgender (LGBT) issues or lifestyles.” it was still making its way through committees when the legislative session ended.

On April 20, Arizona Governor Doug Ducey (R) vetoed a broadly defined parental notification bill (SB 1456) passed by that state’s legislature. In Idaho, a similar bill (HB 249) passed the House along party lines but was killed on April 7 by a bipartisan majority of the Senate Education Committee.

The CLGBTH and the OAH Committee on the Status of LGBTQ Historians and Histories applaud those political leaders who recognize how profoundly harmful such laws would be 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.”

These recent attempts to censor and marginalize LGBT historical content from K-12 classrooms have emerged amid a discriminatory framework of unprecedented legislative attacks on LGBTQ individuals. In 2021 alone, state legislatures have introduced more than 250 bills targeting LGBTQ populations, with particular animosity directed toward transgender youth and their families. These bills include restrictions on transgender minors’ access to gender-affirming health care; anti-transgender bathroom and sports bills; efforts to lift bans on conversion therapy; and religious exemption laws seeking to legalize sexual orientation and gender identity discrimination. While these bills vary, they are all committed to marginalizing and harassing LGBTQ individuals and families. Understood in this context, the legislative attack on accurate, inclusive, and accessible K-12 history education is even more troubling.

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

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**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.

## **MEDIA CONTACTS**

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