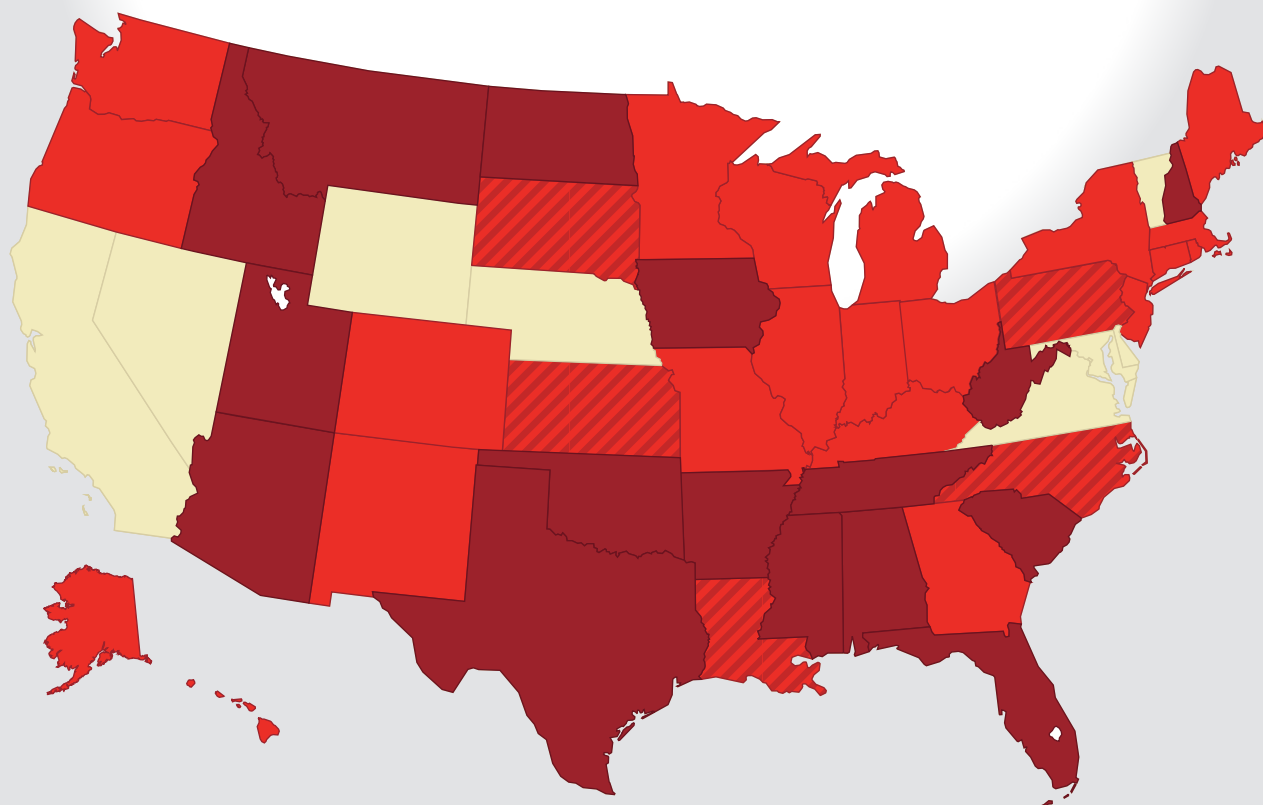


POLICY SPOTLIGHT: CURRICULUM CENSORSHIP & HOSTILE SCHOOL CLIMATE BILLS



State enacted any curriculum censorship or hostile school climate law in 2020-2021 (16 states)

State passed but vetoed any curriculum censorship or hostile school climate bill in 2020-2021 (5 states)

State introduced any curriculum censorship or hostile school climate bill in 2020-2021 (21 states)

State did not introduce a curriculum censorship or hostile school climate bill in 2020-2021 (8 states + D.C.)

TABLE OF CONTENTS

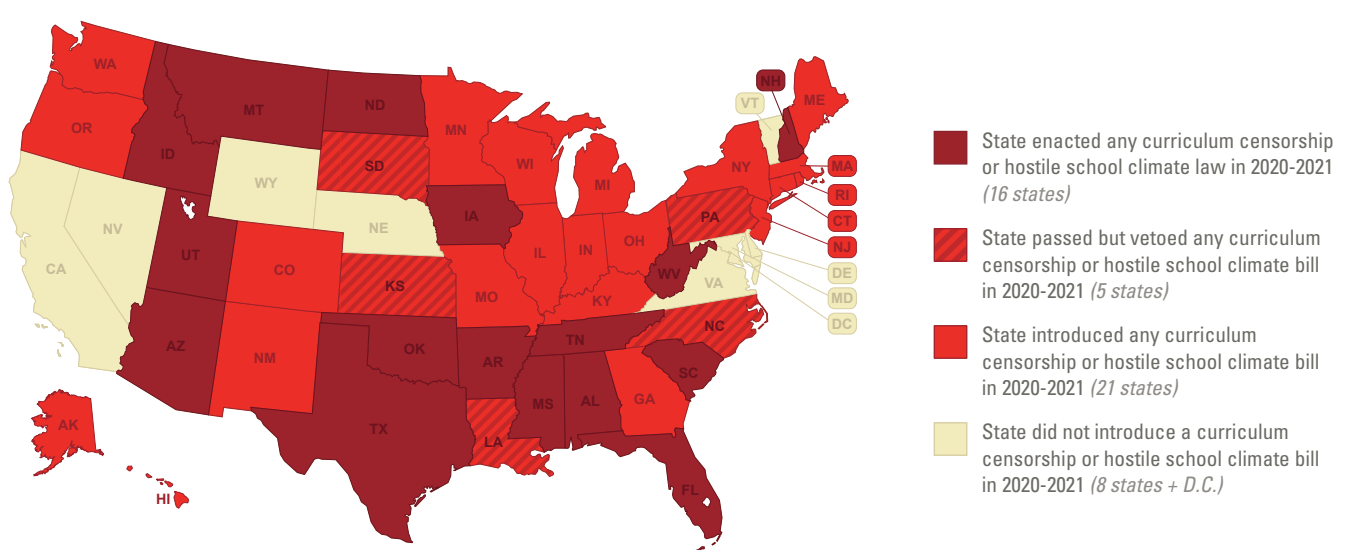
KEY TAKEAWAYS.....	1
CURRICULUM CENSORSHIP AND HOSTILE SCHOOL CLIMATE BILLS: 2020-2021	2
Curriculum Censorship Bills	3
Censoring Discussions of Race and History	3
Censoring Discussions of LGBTQ People.....	5
Censoring Other Inclusive Discussions, and Other Efforts to Undermine Education	5
Hostile School Climate Bills.....	6
Undermining a Supportive School Environment for All Students.....	6
Undermining a Supportive School Environment for LGBTQ Students.....	7
TRENDS AND LOOKING AHEAD TO 2022.....	11
FAR-REACHING IMPLICATIONS.....	13
CONCLUSION	15
ENDNOTES	16
APPENDIX	16

KEY TAKEAWAYS

- **In 2020-2021, at least 42 states considered legislation that would undermine quality education and/or a supportive school climate for our nation's youth.** This includes bills that would censor or limit what schools may teach on subjects—including race, religion, sex, and LGBTQ people—as well as a wide variety of bills that would threaten safe school environments, especially for LGBTQ youth.^a
- **In 2020-2021, at least 30 states considered curriculum censorship bills** that would censor or restrict inclusive curricula, including about race, ethnicity, LGBTQ people, and more. School helps students prepare for their future by encouraging curiosity and critical thinking through math and science, art and music, history and literature. These bills would limit the ability of educators to prepare children for the future.
- **In 2020-2021, at least 40 states considered hostile school climate bills.** Hostile school climate bills cover many threats to a safe school environment, including in some cases provisions that require teachers and counselors to forcibly out LGBTQ children to their parents—even in instances where they have reason to believe the student may be kicked out of their home, be subjected to harmful “conversion therapy” practices, or face verbal or physical abuse.
- **More than 80% of children, or over 59 million youth, in the United States live in the 42 states that considered curriculum censorship or harmful school climate bills in 2020 and 2021.**
- **Less than three months into 2022, at least 39 states have already introduced similar bills—and more bills than in all of 2020 and 2021 combined—** illustrating the continued and growing threat to children's safety, education, and their future.
- **These bills are part of a well-coordinated effort by lobbyists and politicians to exploit parents' fears and frustrations during the COVID-19 pandemic—and to radically reshape our education system.** These bills put the partisan and political interests of politicians ahead of the independence of educators and the needs of children.

^a See the appendix for discussion of types of bills that were not included in this report, but that also shape the experience of students and schools.

Figure 1: From 2020 to 2021, Nearly Every State Considered Curriculum Censorship and/or Hostile School Climate Bills



Note: In 2021, South Dakota passed a hostile school climate bill, which the governor vetoed but then issued two executive orders to the same effect. As a result, South Dakota implemented a hostile school climate policy during this time, but not through legislation.

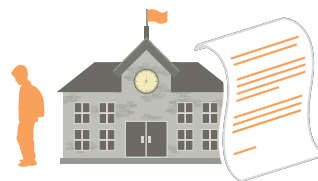
Source: Original MAP analysis, with bill identification support from the Equality Federation, Freedom for All Americans, and other partners. Full list available upon request.

STATES ARE CONSIDERING HUNDREDS OF BILLS THAT CENSOR CURRICULUM AND UNDERMINE A SUPPORTIVE SCHOOL ENVIRONMENT FOR STUDENTS



CURRICULUM CENSORSHIP BILLS

- Censoring discussions of race and history
- Censoring discussions of LGBTQ people
- Allowing parental opt-out or requiring opt-in for a wide variety of curricula
- Allowing school staff to refuse to teach or discuss certain subjects that conflict with personal beliefs
- Other efforts to undermine inclusive curricula, ban books or inclusive materials, and impose costly bureaucratic burdens on schools



HOSTILE SCHOOL CLIMATE BILLS

- Banning diversity and inclusion trainings for school staff
- Allowing teachers and staff to offer religiously based counseling or advice to students
- Rolling back gender identity nondiscrimination protections for students
- Requiring teachers and school staff to notify a parent if their child expresses thoughts or feelings about being LGBTQ
- Restricting use of a child's chosen name or pronouns
- Banning transgender students from using restrooms or playing on sports teams that match their gender identity

CURRICULUM CENSORSHIP AND HOSTILE SCHOOL CLIMATE BILLS: 2020-2021

In recent years, some politicians have increasingly proposed legislation that would undermine quality education and a supportive school climate for youth. Specifically, a growing number of states have considered—and already passed—bills that would censor, ban, or severely restrict inclusive, historically accurate curricula and educational materials like books, particularly in the contexts of race, sexual orientation, and/or gender identity.¹ A growing number of states have also considered or passed a variety of bills that would undermine a safe, supportive school environment for all students, and especially for LGBTQ youth.

For example, at the time of this report's writing, the Florida House passed and the Florida Senate is currently considering multiple bills, including the so-called "Stop WOKE Act," targeting schools, students, and more. These extreme bills would:

- Censor classroom discussions about racism, sexism, discrimination, slavery, and history

- Ban *any* discussion of LGBTQ issues in the classroom
- Allow parents to sue schools if LGBTQ issues are discussed
- Under a proposed amendment, require schools to violate students' privacy and endanger their safety by requiring teachers to notify parents if the student comes out as gay or transgender, regardless of whether the student has a safe home environment
- Ban diversity, equity, and inclusion trainings by any employer, including schools
- Other bills around the country would also allow parents or students to sue schools if history or diversity discussions make them feel "discomfort" or "psychological distress"
- Other bills around the country would also allow for schools to lose funding and for teachers to be fired or disciplined for a wide variety of classroom discussions about racism, sexism, or history

These are just a few examples of the hundreds of bills under consideration across the country, and these examples are sadly representative of the types of extreme measures these bills propose.

Unfortunately, it's no surprise that these legislative attacks on school curricula and school climate are happening right now. These bills reflect a coordinated effort on behalf of well-financed, far-right lobbyists seeking to undermine the progress made in recent years toward addressing racism and advancing LGBTQ equality. This coordination is evident in the copy-cat language seen in bills across many states, and further in publicly released campaign strategies from the lobbyists behind these bills.² What's more, this coordinated campaign is attempting to take advantage of the fears and anxieties many parents are facing right now amid the ongoing COVID-19 pandemic and the loss of control or security around their children's health, including at school. This strategy of undermining progress in the guise of "protecting American history" or "parental rights" is now a leading strategy being used to divide Americans in service of a far-right agenda.³ Especially in advance of the 2022 midterms, and with the 2024 presidential race just around the corner, these bills turn schools into a political battlefield and put partisan interests ahead of the best interests of children.

These efforts to ban books, censor teachers, and undermine the safety of students are deeply troubling in and of themselves, and especially so in a country where public education is a cornerstone of democracy. These efforts are also profoundly harmful. Research clearly demonstrates that inclusive curricula leads to better academic performance and better health and wellbeing for students of many backgrounds,⁴ and further that supportive school environments are critical for students' physical, mental, and emotional health.⁵ A public school education helps students prepare for their future by encouraging curiosity and critical thinking through math and science, art and music, history, and literature. America's educators have the tough job of preparing children for the future and helping them build the critical thinking skills they need to succeed. America's children deserve an honest and accurate education that enables them to learn from our past and help create a better future.

Additionally, debating bills like these causes harm, even if those bills never become law. A 2021 survey showed that two-thirds (66%) of LGBTQ youth said their mental health was negatively impacted by recent state legislative debate about the rights of transgender people.⁶ Texas, for example, considered over 75 anti-LGBTQ bills in 2021; for that same year, a national crisis support line reported an over 150% increase in

the number of contacts from LGBTQ youth in Texas compared to the previous year, with many youth directly stating that their distress was due to the anti-LGBTQ laws being debated in their state.⁷

Despite the clear harms, in 2020-2021, at least 42 states considered curriculum censorship and hostile school climate bills, as shown in Figure 2 on the following page. Overall, more than 80% of children—or over 59 million youth—live in these states.⁸ Table 1 on page 9 provides an overview of the types of bills introduced in each state.

Curriculum Censorship Bills



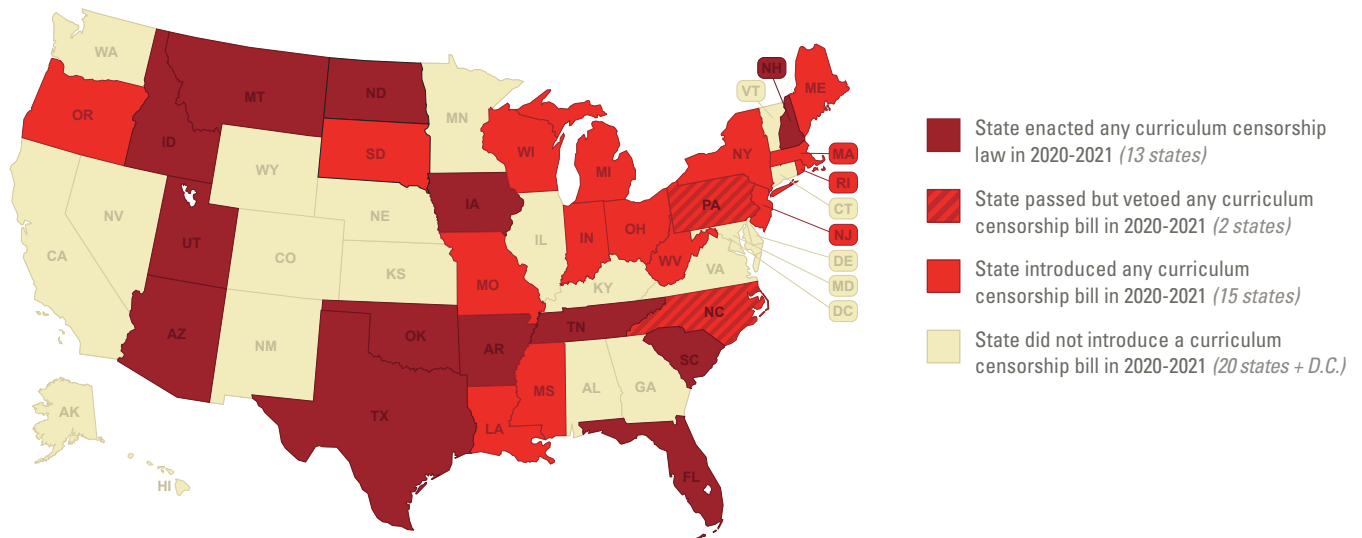
In 2020-2021, and as shown in Figure 2, at least 30 states considered bills censoring certain types of curricula or lessons relating to race, ethnicity, LGBTQ people, or other inclusive, historically accurate curricula. Thirteen states passed such bills into law, including 10 states censoring discussions of race in the classroom.

Censoring Discussions of Race and History

In 2020-2021, lawmakers in at least 26 states considered legislation that would ban, censor, or severely limit teachers from discussing race and history in the classroom, and 10 states passed these censorship bills into law. All of these bills were introduced in 2021. In analyzing bills introduced in these 26 states, a few themes emerge:

- **Despite politicians' rhetoric and some media coverage to the contrary, most of these bills contain no reference to "critical race theory."** Critical race theory (CRT) is a decades-old academic and legal framework based on the idea that social structures and government policies can be racially biased, even when they appear racially neutral (e.g., redlining, the practice of refusing to give a loan based on geographic areas deemed a financial risk) and that these biases continue to influence people's experiences today (e.g., racial disparities in home ownership or lending). While the academic concept of critical race theory is typically reserved for college and graduate level classes, discussions of race and racism are part of American history and are frequently integrated in age-appropriate ways into K-12 education. However, many politicians—especially during their election campaigns—have dramatically

Figure 2: In 2020-2021, At Least 30 States Considered Curriculum Censorship Bills



Note: Multiple states also saw non-legislative action—such as executive orders, attorney general opinions, or actions from the state board of education—censoring or restricting curriculum about race. These are not reflected here.

Source: Original MAP analysis, with bill identification support from the Equality Federation, Freedom for All Americans, and other partners. Full list available upon request.

distorted and intentionally misrepresented critical race theory to stoke fear, provoke outrage, and push forward bills that often make no actual reference to CRT, but instead effectively ban discussions of race and ethnicity in the classroom.

- **Many of these bills generally include broad language banning “divisive concepts” or simply a list of prohibited ideas about race and history—sometimes explicitly including slavery, the Civil Rights Movement, or even “social justice.”** Most of the bills introduced in 2021 attempted to ban the teaching of so-called “race or sex scapegoating” or “divisive concepts”—a term so broad that it could apply to nearly any topic. Many of the bills closely mirror former President Trump’s now-repealed executive order that banned diversity and inclusion trainings in the federal government.⁹
- **The bills also censor discussions about sexism, and in some cases about religion, national origin, sexual orientation, gender identity, and more.** At least one bill is so broad that it forbids curricula about bigotry, bias, privilege, or oppression among people or institutions in the United States.
- **The bills may ban specific materials in the classroom, essentially providing lawmakers with**

veto power over school curricula. In addition to banning entire areas of discussion as mentioned above, some bills specifically censor certain materials, such as the 1619 Project (a project published by the New York Times focusing on the roles of slavery and the contributions of Black Americans in U.S. history) or even educational materials from organizations like the Southern Poverty Law Center.^b

- **The bills create a wide range of penalties, including a right to sue or loss of school funding.** Many bills create penalties ranging from firing or disciplining teachers, taking away state funding from already dramatically under-resourced schools, or even allowing individual parents to sue schools or teachers if parents object to students being taught about slavery, the Emancipation Proclamation, the Holocaust, the Civil Rights era, and other topics.
- **The bills create a slippery slope that puts schools and teachers at risk of lawsuits if a student feels “discomfort.”** While the provisions of the bill may seem innocuous at first glance, they actually pose a very real threat of censorship and chilled speech. On the surface, these bills prohibit teaching that “any individual should feel discomfort, guilt,

^b See for example Missouri’s [HB 952](#) (2021).

anguish, or any other form of psychological distress” based on their race or sex. While the letter of the law prohibits discussing the idea that someone should feel uncomfortable, the spirit and impact of these laws mean that if a student (or their parents) does feel uncomfortable—it puts teachers at risk of potential complaints that they broke the law. For example, if a student (or their parent) feels discomfort while learning about slavery or the Holocaust, that feeling alone could be taken as “proof” that the teacher was breaking the law. As a result, these bills effectively prohibit teaching topics that might make someone feel discomfort, or else risk a lawsuit, the teacher’s job, or even the loss of school funding.

These proposed bills, introduced in at least 26 states in 2021, tie the hands of educators to teach relevant, accurate content to students. These bills are often very broad, but their impact would be to censor history, remove discussions of race and racism from the classroom, and to ban books and curricula simply because some people find them uncomfortable.

Censoring Discussions of LGBTQ People

In that same time, lawmakers in at least 14 states considered legislation that specifically targets discussions of sexual orientation, gender identity, and LGBTQ people in schools. These bills take many forms, as outlined below.

- **Censoring any mention of LGBTQ people or issues from curricula, classroom discussions, school speakers or events, and more.** By banning any discussion of LGBTQ people by school staff and teachers, these policies create not only an incomplete, non-inclusive curriculum, but also a harmful environment lacking support for LGBTQ students and students with LGBTQ parents.
- **Requiring that parents be notified in advance of any classroom discussion of LGBTQ people or history and allowing parents to remove their children from such discussions** (opting out), or even requiring parents to provide written consent (opting in) prior to such discussions.^c These bills sometimes redefine “sex education” to include any discussion of sexual orientation or gender identity. Even historical lessons (e.g., the history of same-sex marriage court cases in a civics class) could be considered “sex education” that students could be excused from. While these

bills do not explicitly censor classroom discussion of LGBTQ people, the restrictions nonetheless create a chilling effect—especially given that even perceived violations of the provisions can result in penalties or lawsuits for teachers or schools.

- **Further restricting LGBTQ-inclusive curricula and materials**, including bills that would:
 - Ban textbooks and instructional materials that discuss LGBTQ people, and especially those that discuss LGBTQ people in positive or non-judgmental ways.^d
 - Require LGBTQ-inclusive lessons be taught alongside dangerous and discredited myths about transgender people.^e
 - Require that sex education censor discussions about gender identity and transgender people, and also restrict schools’ ability to teach about HIV prevention and sexual health.

Censoring Other Inclusive Discussions, and Other Efforts to Undermine Education

Finally, in at least 12 states, lawmakers considered other forms of legislation that would broadly censor or restrict teachers or otherwise undermine efforts to ensure an inclusive, historically accurate curriculum and quality education. This includes bills:

- **Rolling back existing state requirements for an inclusive curriculum.** Inclusive curricular standards refer to learning goals for students that are age-appropriate, subject-appropriate (e.g., history vs. science), and that reflect the broad diversity of people and experiences. This might include, for example, learning about the contributions of Asian Americans in U.S. history class, or about Supreme Court cases about disability rights in civics class. Efforts to roll back these inclusive requirements would undermine a quality, historically accurate education, as well as the ability of schools to prepare students for the diverse world around us.

^c Some of these bills would also allow parents to opt their children out of (or require parents to opt-in to) surveys or assessments, especially if those surveys ask any questions about gender identity or sexual orientation. These surveys, such as the Centers for Disease Control and Prevention’s (CDC) Youth Risk Behavior Surveillance System (YRBSS), are critical for helping schools, researchers, and communities better understand and support students’ health, academic performance, and much more. Such information can also affect school funding and policy decisions, so these opt-out bills can also undermine the school’s very resources and long-term success.

^d See Tennessee HB 800 (2021).

^e See Iowa HF 326 (2021).

- **Allowing parents to remove their children from any classroom discussion on *any topic*, if the parent(s) believes the topic might question or address beliefs about sex, morality, religion, conscience, or ethics.** As with the LGBTQ-specific opt-out/opt-in bills, the even broader nature of these bills could create a chilling effect in classrooms such that teachers feel pressured to avoid any number of topics. This undermines the ability of students to learn about a broad range of topics and successfully prepare for their future. These provisions also create untenable additional burdens for teachers, who may be forced to create additional or alternative lesson plans each time a student or their parent opts out of any given discussion. Given the extremely broad nature of these bills and the wide diversity of beliefs about sex, morality, and ethics, these bills could ultimately require a different assignment for nearly every student.
- **Allowing teachers and school staff to refuse to teach or discuss certain subjects if doing so might conflict with their personal beliefs.** Such religious exemptions for school staff could mean that, for example, a history teacher could refuse to teach about the development and success of the Polio vaccine or a biology teacher could refuse to discuss blood transfusions. This undermines the ability of children to receive a consistent, accurate education based on the state curriculum and educational standards, and not the teacher's personal beliefs.
- **Creating significant restrictions and/or burdens relating to instructional materials.** For example:
 - **Prohibiting teachers from using any materials that are not pre-approved by the state board of education.**^f This added bureaucracy would limit the ability of teachers to innovate, tailor materials to the specific needs or interests of their students, and generally tie the hands of educators to give the best education possible.
 - **Requiring all curricula and materials to “reflect balanced political viewpoints.”**^g While this may seem reasonable at first glance, such requirements could lead to, for example, history teachers being forced to present pro-slavery viewpoints during lessons on the Civil War, or pro-Nazi materials in discussions of World War II.
 - **Imposing significant and costly bureaucratic burdens by requiring schools to post online**

every single book, syllabus, and detailed written summaries of instructional materials.^h These extra layers of bureaucracy would take even more learning time away from children, and they are especially unnecessary given that most state laws already require that materials be made available to parents upon request.

Hostile School Climate Bills



Schools are places where children not only learn about academics, but also where they experience social and emotional learning and are supported by trained teachers, counselors, and administrators. The school environment or climate is just as important to children's social, emotional, and academic success as the curriculum itself. For example, a national 2019 survey showed that LGBTQ students who experienced discrimination at school had higher levels of depression, had lower GPAs, and were more likely to have missed school in the past month because they felt unsafe.¹⁰

In 2020-2021, and as shown in *Figure 3* on the following page, at least 40 states considered legislation that would significantly damage school climate and undermine school safety for all students, with many of these bills specifically targeting LGBTQ students. Nine states enacted such bills into law, and another four states passed a bill that was later vetoed. Table 1 outlines the different types of bills introduced in each state.

Undermining a Supportive School Environment for All Students

Hostile school climate bills take many forms, reflecting the many different ways that politicians are seeking to hijack public education for partisan political purposes. Some of these bills are broader in scope, threatening the ability of schools to be places where all students are treated with respect, feel safe, and have equal access to a quality education. These include bills:

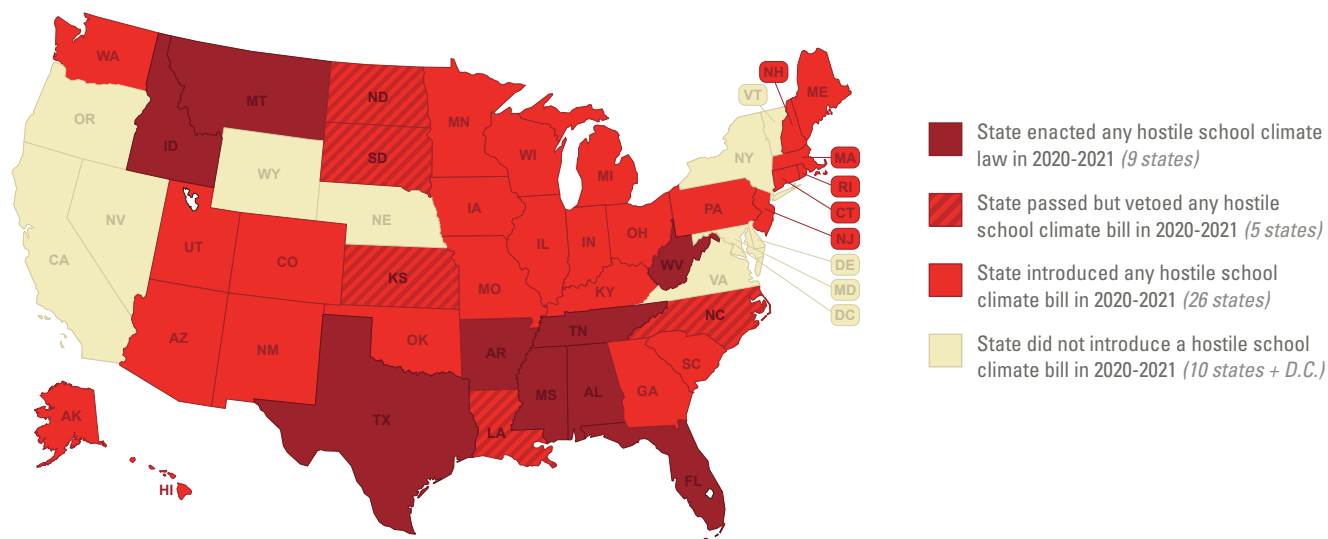
- **Banning diversity and inclusion trainings for schoolteachers, staff, and/or students.** Like attempts to ban discussion of race or sex in curricula, these

^f See for example Tennessee HB 1535 (2021).

^g See for example North Carolina S 700 (2021).

^h See for example Pennsylvania HB 1332 (2021), as well as similar provisions within bills censoring classroom discussions of race and history, such as Texas SB 3 (2021, 2nd Special Session) or Wisconsin SB 411 (2021).

Figure 3: In 2020-2021, At Least 40 States Considered Hostile School Climate Bills



Source: Original MAP analysis, with bill identification support from the Equality Federation, Freedom for All Americans, and other partners. Full list available upon request.

bills would ban the same discussions in trainings for schoolteachers, administrators, staff, and/or students. Trainings such as these are intended to better equip educators with the tools and knowledge they need to ensure an inclusive and safe learning environment for all students, across races, genders, and other backgrounds. Banning such trainings will only serve to further undermine an inclusive school environment and the chances for success among all students.

- **Distorting the teacher-child power dynamic by allowing teachers and staff to offer religiously based counseling or advice to students.** A child coming to a teacher for information or support might instead be subjected to religious counseling that conflicts with the beliefs of the child and their family. School staff conduct should be guided by state curriculum and educational standards, and not the teacher's personal religious beliefs.
- **Requiring teachers and school staff to notify parents about children's "health" or "information that is relevant"—without defining what that might mean.** These vague requirements would create an environment of surveillance and reporting, where teachers are obligated to notify parents of any detail to avoid allegations of withholding "relevant information" and potential lawsuits. And, as noted below, some of these bills specifically require teachers and staff to notify parents if a child gives

any indication that they might be gay or transgender, even if that might jeopardize the child's safety.

Undermining a Supportive School Environment for LGBTQ Students

Additionally, many of these hostile school climate bills specifically target LGBTQ youth and limit the ability of schools to provide inclusive learning environments to LGBTQ students. These include:

- **Rolling back or undermining existing nondiscrimination protections in schools.** Proposals to remove gender identity from a state's education nondiscrimination law would leave transgender and gender nonbinary youth without protections from exclusion and harassment at school.
- **Requiring teachers and school administrators to notify a parent if their child comes out as gay or transgender or if the child expresses thoughts, feelings, or signs related to their sexual orientation or gender identity.** While it is natural for parents to want to be informed about what is happening with their child at school, the sad fact is that for some children, school is their only safe haven. Teachers and counselors should not be forced to reach out to parents when they feel doing so might jeopardize a child's safety. As such, these bills pose significant potential harm to children.

- Research clearly shows that LGBTQ youth face high rates of homelessness related to parental rejection.¹¹ These bills would force teachers and counselors to reach out to parents even if they thought doing so would result in verbal or physical harm, being kicked out of their homes, or being subjected to dangerous so-called “conversion therapy” practices.
- Many (though not all) of these proposals are included in broader bills aiming to prevent transgender youth from accessing best practice medical care. They force school staff to inform parents of any potential signs or indications that a child may be thinking about their gender identity or sexual orientation. This can range from being forced to report even simple events like a child using a different name or nickname one day at school, to much more serious consequences like divulging private information a child shared in confidence with a school counselor.
- Some of these bills would allow for disciplinary action against teachers or lawsuits against schools for failure to comply.
- These bills would also leave children without clear spaces where they can safely discuss or express personal feelings. This is especially dangerous for children who are not fortunate enough to have supportive families, and who might be harmed or mistreated if this information were shared.
- **Prohibiting schools from requiring that school staff use a child’s chosen name or pronouns.** Research shows that using chosen names significantly reduces the likelihood that transgender youth experience depression, suicidal thoughts, and suicide attempts,¹² and that using chosen pronouns similarly reduces the rate of suicide attempts among transgender and nonbinary youth.¹³ In at least one state, a bill would require schools to notify parents in advance if the school plans to ask students about their pronouns, and, if a parent requests, the school must tell parents how the students answered¹⁴—again risking the potential for outing children to potentially unsupportive families.
- **Banning transgender students from using school restrooms or facilities according to their gender identity.** Transgender students are part of school communities, and like other students, they’re there to learn and prepare for their future. To do that, they need to be able to use the restroom or facilities that match their gender identity without being singled out for discrimination and harassment. Bills that ban transgender students from doing so put them at greater risk for bullying and harassment.
- **Banning transgender students from participating in sports teams based on their gender identity.**
 - Sports are an important part of education, providing lifelong lessons about teamwork, sportsmanship, leadership, and more. No child should be denied a chance to participate in sports simply because of who they are, but these bills seek to do exactly that. Being a kid is hard enough as it is; when politicians single out some children as different from others and target them for discrimination and exclusion, it undermines the essential role of schools in educating young people.
 - As shown on page 12, these efforts have increased dramatically in recent years, with the number of such bills more than tripling from 2020 to 2021.
- **Prohibiting or restricting other ways that schools can create a safe, supportive environment for youth of all backgrounds.** These other bills cover myriad potential harms to children, including but not limited to:
 - Requiring that if school counselors talk about gender identity or gender-affirming care with youth, they must also talk about falsified “harms” of such care—with the “harms” outlined by politicians rather than physicians.
 - Prohibiting signs of an inclusive school environment, such as a rainbow flag or safe-space stickers on an office door.
 - And more.

¹¹ See also MAP’s 2021 report, *LGBTQ Policy Spotlight: Efforts to Ban Health Care for Transgender Youth*.

¹² See Iowa SF 80 (2021).

**Table 1: In 2020-2021, States Considered and Passed
Many Types of Curriculum Censorship and Hostile School Climate Bills**

(continued on next page...)

Table Key	Curriculum Censorship Bills			Hostile School Climate Bills			
	Censoring Discussions of Race and History	Censoring or Restricting Discussions of LGBTQ People or LGBTQ-Inclusive Materials	Other Efforts Censoring or Restricting Inclusive Discussions or Materials	Rolling Back Discrimination Protections or Banning or Restricting Diversity Trainings in Schools	Requiring School Staff to Out Children to their Parents	Banning Transgender Children from Playing Sports or Using School Facilities According to their Gender Identity	Restricting Use of Chosen Pronouns and Other Hostile School Climate Bills
+ Bill Introduced ✓ Bill Passed							
Totals	26 considered, 10 enacted	12 considered, 5 enacted	12 considered, 0 enacted	15 considered, 6 enacted	8 considered, 0 enacted	40 considered, 9 enacted	12 considered, 0 enacted
Alabama	*				+	✓	
Alaska						+	
Arkansas	+	✓		+		✓	+
Arizona	✓	✓		+		+	+
Colorado						+	+
Connecticut						+	
Florida	*	✓	+			✓	
Georgia	*					+	
Hawai'i						+	
Idaho	✓	+				✓	
Illinois						+	
Indiana	*		+			+	
Iowa	✓	+		✓	+	+	+
Kansas						+ **	
Kentucky					+	+	+
Louisiana	+			+	+	+ **	+
Maine	+					+	
Massachusetts		+	+			+	
Michigan	+					+	
Minnesota						+	

*These states did not have a curriculum censorship bill about race in 2020-2021, but there was non-legislative action (e.g., the state's Board of Education issuing rules or regulations, the state's attorney general issuing a binding opinion, or other action) censoring discussions of race in the classroom.




**These states passed a bill, but it was vetoed by the governor.

Specific notes: In 2021, Arkansas enacted a bill censoring discussions of race, but this bill applies to state agencies, not schools. Utah's legislature passed a resolution directing the state board of education to issue rules censoring discussions of race, which it then did.

Overall notes: Interpretation or application of each bill may vary; this table is not definitive, nor is it legal advice. Additionally, many states considered multiple bills of different types; a column is checked if at least one bill in that state had that content. This table is not exhaustive of all types of bills that would affect school curricula or climate.

Source: Original MAP analysis, with bill identification support from the Equality Federation, Freedom for All Americans, and other partners. Full list available upon request.

Table 1: In 2020-2021, States Considered and Passed
Many Types of Curriculum Censorship and Hostile School Climate Bills (...continued from previous page)

Table Key	Curriculum Censorship Bills			Hostile School Climate Bills			
	Censoring Discussions of Race and History	Censoring or Restricting Discussions of LGBTQ People or LGBTQ-Inclusive Materials	Other Efforts Censoring or Restricting Inclusive Discussions or Materials	Rolling Back Discrimination Protections or Banning or Restricting Diversity Trainings in Schools	Requiring School Staff to Out Children to their Parents	Banning Transgender Children from Playing Sports or Using School Facilities According to their Gender Identity	Restricting Use of Chosen Pronouns and Other Hostile School Climate Bills
 Bill Introduced							
 Bill Passed							
Missouri	+	+				+	
Mississippi	+				+		+
Montana	*		+				+
New Hampshire						+	
New Jersey	+	+	+	+		+	
New Mexico						+	
New York	+						
North Carolina	++		+	++		+	+
North Dakota		+				++	+
Ohio	+		+	+	+		
Oklahoma			+			+	+
Oregon	+						
Pennsylvania	+		++	+		+	
Rhode Island	+			+		+	
South Carolina			+		+	+	
South Dakota	+				+	++	+
Tennessee			+				
Texas			+				
Utah						+	
Washington						+	
West Virginia	+						
Wisconsin	+	+	+	+			
Totals	26 considered, 10 enacted	12 considered, 5 enacted	12 considered, 0 enacted	15 considered, 6 enacted	8 considered, 0 enacted	40 considered, 9 enacted	12 considered, 0 enacted

*These states did not have a curriculum censorship bill about race in 2020-2021, but there was non-legislative action (e.g., the state's Board of Education issuing rules or regulations, the state's attorney general issuing a binding opinion, or other action) censoring discussions of race in the classroom.

**These states passed a bill, but it was vetoed by the governor.

Specific notes: In 2021, Arkansas enacted a bill censoring discussions of race, but this bill applies to state agencies, not schools. Utah's legislature passed a resolution directing the state board of education to issue rules censoring discussions of race, which it then did.

Overall notes: Interpretation or application of each bill may vary; this table is not definitive, nor is it legal advice. Additionally, many states considered multiple bills of different types; a column is checked if at least one bill in that state had that content. This table is not exhaustive of all types of bills that would affect school curricula or climate.

Source: Original MAP analysis, with bill identification support from the Equality Federation, Freedom for All Americans, and other partners. Full list available upon request.

TRENDS AND LOOKING AHEAD TO 2022

From 2020 to 2021, there was a remarkable increase in curriculum censorship and hostile school climate bills, and this trend is already continuing just two short months into 2022. *Figure 4a* shows that the number of such bills nearly quadrupled, and *Figure 4b* shows that the number of states considering these bills nearly doubled.

These figures also show that, barely three months into 2022, state legislatures have already introduced more bills than in all of 2020 and 2021 combined—and several state legislatures have not even started their work for the year, so this number is certain to continue growing.

Figure 5 on the following page shows that, from 2020 to 2021, this increase was driven primarily by censorship bans focusing on racial curricula, and by hostile climate bills focused on transgender children and school sports. That said, *Figure 5* also shows there was an increase in every type of bill discussed in this report.

As we continue into 2022, state legislatures are continuing their efforts to censor school curricula, undermine a supportive school environment, and, increasingly, create a culture of surveillance in schools. The following trends are already noticeable:

- Bills seeking to censor discussions of race, sex, and questions of diversity and inclusion in as many

aspects of life as possible—not only in schools. Bills introduced in 2021 primarily focused on censoring these discussions in schools. In 2022, these bills still aim to censor schools, but many also expand their focus to government agencies, contracts, and even private employers.

- **More so-called “parental rights” bills that are marketed as empowering parents but instead censor curricula and undermine supportive school climates.** In 2020-2021, there were only a handful of these bills, but already in 2022 there are dozens of such bills in states across the country—including the extreme Florida bill highlighted at the beginning of this report.
- **More “right to review” or so-called “academic transparency” bills, which are written to appear harmless but actually create significant and costly bureaucratic burdens at the expense of both taxpayer dollars and student learning.** The bills generally do not prohibit a specific type of content, such as LGBTQ-related topics or discussions of race, but nonetheless are meant to censor teaching. These bills pose a significant and costly administrative burden on schools by requiring that they post all library and/or instructional materials online, far above and beyond already existing requirements that schools allow parents to review such materials available upon any request.

Figure 4: States Are Increasingly Prioritizing Curriculum Censorship and Hostile School Climate Bills

Figure 4a: # of bills introduced by year

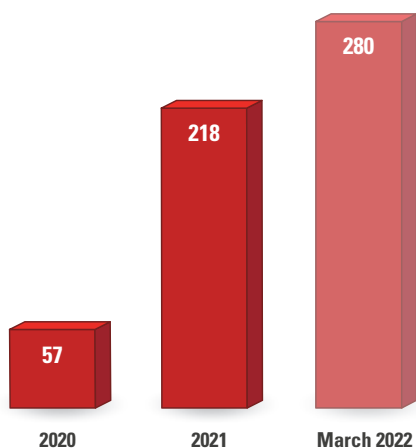


Figure 4b: # of states introducing bills by year

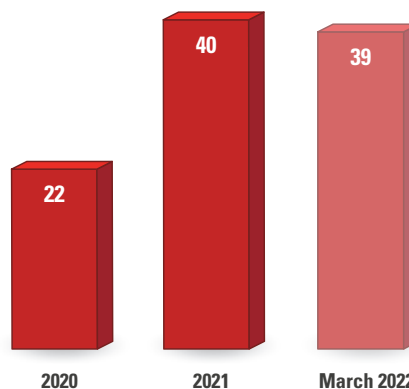
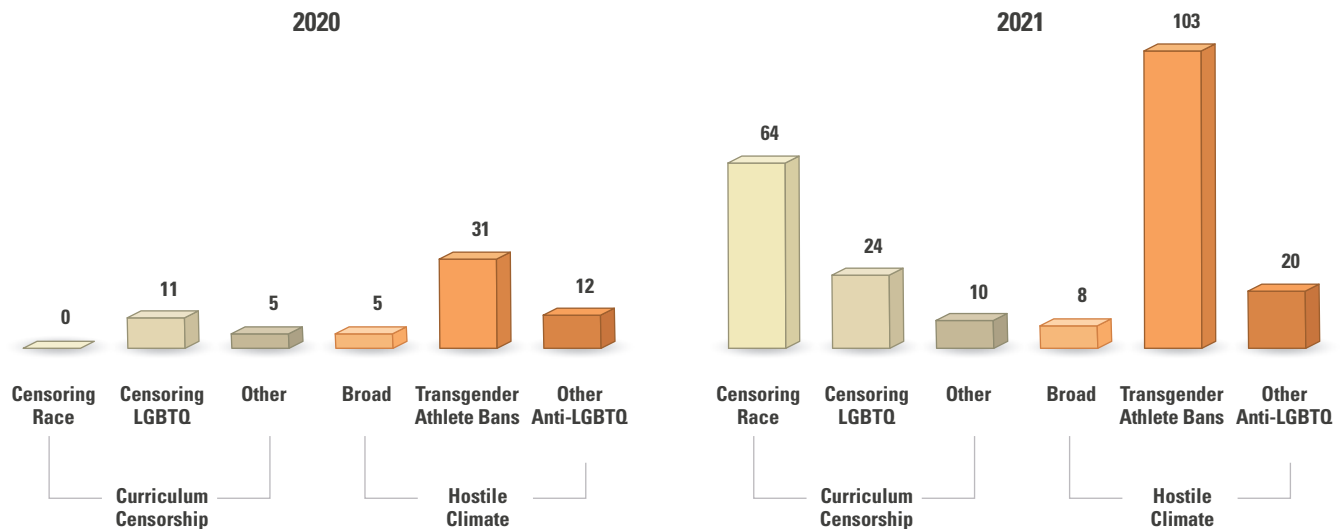


Figure 5: From 2020 to 2021, the Number of Curriculum Censorship and Hostile School Climate Bills Grew Dramatically, Especially Bills Censoring Discussions of Race and Banning Transgender Students from Playing Sports
of bills of each type considered by state legislatures, by year



Note: Column totals do not match the total number of bills in a year because many bills contain multiple elements, such as a bill that would both censor LGBTQ-related curriculum and undermine school climate for LGBTQ students.

Source: Original MAP analysis, with bill identification support from the Equality Federation, Freedom for All Americans, and other partners. Full list available upon request.

- **More bills that would prohibit or restrict the use of accurate pronouns for students.** In 2020-2021, many of the bills introduced were designed to protect teachers who didn't want to use a student's correct pronouns, for example for a transgender student. This year, however, bills introduced thus far go even further and say teachers cannot use the student's chosen pronouns—even if the student, teacher, and parents all support the use of these pronouns.
- **New bills that would ban Gay Straight Alliances (GSAs) and similar clubs that provide a supportive space for LGBTQ students, or require parental consent to join, even though parental consent is not required to join other clubs.**

State regulations adopted by the State Board of Education already require that public schools provide parents and guardians with course curriculum and instructional materials upon request. In addition, textbooks are adopted by school boards in meetings open to the public. Therefore, requiring all public schools to publish on their website the details of every textbook, course syllabus, or written summary of each course, and the relevant academic standards for each course is not only duplicative, but overly burdensome.

The onerous requirements of this bill fall on educators who should be focused on critical issues such as addressing learning loss, managing the impacts of the pandemic on students, and working through staffing shortages. ... This legislation is a thinly veiled attempt to restrict truthful instruction and censor content reflecting various cultures, identities, and experiences.

- Tom Wolf, Governor of Pennsylvania, in a 2021 statement vetoing a bill imposing bureaucratic burdens on schools

FAR-REACHING IMPLICATIONS

Politicians have seized the current moment of uncertainty around the pandemic and heightened concerns among parents to advance harmful legislation that threatens the education of America's children and undermines our democracy, which is built on the freedom of ideas.

Even the mere introduction of these harmful school bills has resulted in hysteria on the part of local officials in censoring what is taught in schools. For example, a school board in McMinn County, Tennessee, recently banned *Maus*, the Pulitzer Prize-winning graphic novel about the Holocaust,¹⁴ and a school board in Wentzville, Missouri, banned four books dealing with themes of race and gender, including Toni Morrison's *The Bluest Eye*.¹⁵ In another recent example, the mayor of Ridgeland, Mississippi, withheld \$110,000 from the county library system, and stated that he would not release the funds until all the LGBTQ books were removed.¹⁶

Given the breadth of these bills and the voracity of opponents to diverse, inclusive, and accurate curricula and school climates, these types of incidents are likely only beginning, as shown in *Figure 6* on the following page.

The New York Times

School Board in Tennessee Bans Teaching of Holocaust Novel 'Maus'

The board voted unanimously to remove the Pulitzer Prize-winning graphic novel from classrooms because it contained swear words, according to minutes from the meeting.

LGBTQ NATION



NEWS

GOP mayor holds library funds hostage until "homosexual" books are taken off shelves

Figure 6: Curriculum Censorship and Hostile School Climate Bills Have Many Potential Harmful Consequences for Children, Schools, and Education *(continued on next page...)*

 Bill Element	 Potential Consequences
Banning discussions of race, sex, or “divisive concepts”	<p>Teaching about Martin Luther King, Jr. or Rosa Parks could be banned because they include race and racism.</p> <p>With such a broad, vague concept as “divisive,” any concept that someone takes issue with could be banned. This could force teachers to discuss denials of the Holocaust alongside historically accurate depictions.</p> <p>With penalties such as a right to sue schools and the threat of funding cuts, teachers and school staff may be so concerned about costly litigation that they shy away from teaching about key issues in American history such as slavery, the fight for women’s right to vote, and more.</p>
Banning discussions of LGBTQ people	<p>When teachers cannot mention LGBTQ people in age-appropriate ways, children will be presented with an incomplete history of America, an inaccurate picture of the diversity of today’s families, and incomplete and therefore harmful information about sexuality and sexual health.</p> <p>LGBTQ students and those with LGBTQ parents or family members may feel ostracized or excluded from classroom discussions, resulting in disconnect from peers, lower interest in school, and even harmful mental health more.</p>
Allowing parental opt-out or requiring opt-in for certain curricula	<p>Educational professionals design age-appropriate curricula that are critical to ensuring children receive the skills, knowledge, and content that ensure they can succeed. When parents can pick and choose what curriculum students are exposed to, it can create gaps in a child’s education. Particularly when parents can opt out of historically accurate discussions of American history—such as slavery, the Civil Rights Movement, the struggle for women’s suffrage, or the Holocaust; thoughtful age-appropriate conversations about family diversity including for students in the classroom who may have an LGBTQ parent or a single parent; and health conversations including those around the role of vaccines in the fight against polio—children will lack a basis for engaging in the broader world and will not be as prepared.</p>
Banning books or instructional materials	<p>Banning entire topics from the classroom, as well as creating systems where politicians decide which books or instructional materials to approve, ties the hands of teachers and is antithetical to a democracy built on freedom of speech and freedom of ideas.</p>

Figure 6: Curriculum Censorship and Hostile School Climate Bills Have Many Potential Harmful Consequences for Children, Schools, and Education (...continued from previous page)

 Bill Element	 Potential Consequences
Requiring schools and teachers to post all curricular materials online	<p>In most states, the law already requires that schools make materials available to parents upon request. Adding these unnecessary requirements would create significant burdens on schools and take time away from working to recover lost learning during the pandemic—and at taxpayer cost.</p>
Banning diversity trainings	<p>Today's children will work in diverse workplaces and be a part of an increasingly diverse country. When diversity conversations are banned and when teachers cannot receive training about how to engage, educate, and support diverse students, they cannot adequately educate children. What's more, some of these bills are written so broadly that healthcare or cultural competency trainings may also be implicated, potentially jeopardizing health and wellbeing.</p>
Providing religious or "right of conscience" exemptions for K-12 staff	<p>Educational standards exist to ensure that today's children receive relevant, accurate, and age-appropriate instruction from well-trained teachers. When teachers are permitted to insert their religious beliefs into class discussions, or simply refuse to teach topics that conflict with their religious beliefs—children will suffer. For example, science teachers could refuse to teach evolution, history or civics teachers could refuse to teach basic aspects of U.S. history or government, and social studies teachers could make comments about other religions not rooted in fact but based on their own religious beliefs.</p>

CONCLUSION

Some lawmakers have seized on parental uncertainty during the pandemic to advance an anti-education agenda that ties the hands of educators, bans books and curricula, and undermines the ability of students to thrive and learn. Instead of creating a supportive environment for students to learn, these bills threaten the safety of children who rely on teachers and other school staff as safe places to go if they experience abuse at home. And instead of seeing schools as a cornerstone of democracy where students learn about the people and the world around them, these bills attempt to censor what teachers can teach, what students can learn, and who children can be.

Children require an honest education that helps them learn from the mistakes of the past and prepare to create a thriving future. To do this, schools must examine and learn from our history, not hide it away. Under these bills, historical moments that demonstrate America's promise—like Rosa Parks' courage in standing up to segregation, or the U.S. intervention to end the genocidal atrocities of World War II—could be censored out of that curriculum. Exploring these historical events in school helps our children learn how to be honest, compassionate, empathetic, and to seek opportunities to build a better tomorrow. Bills like these would ban such discussions, threaten free speech, and gut the essential education that every child deserves.

APPENDIX

Bills/Types Not Included in This Report

- **Resolutions.** Multiple states considered resolutions, particularly targeting discussions of race in the classroom, but resolutions generally do not change state law. One exception is Utah, which passed a resolution directing the state board of education to issue rules censoring discussions of race in the classroom, which the board then issued.
- **Bills censoring discussions of race outside the classroom.** Numerous bills sought to censor similar discussions of race in contexts outside of schools, such as bills targeting diversity, equity, and inclusion trainings in government agencies or in state contracts.
- **Bills surveilling public libraries.** While just as problematic, these bills apply to public libraries generally, and not school libraries specifically.
- **Bills restricting sex education,** unless the bills either (1) specifically prohibit or restrict discussion of sexual orientation or gender identity in sex education, or (2) redefine “sex education” to mean any discussion of sex, sexuality, sexual orientation, and/or gender identity in any course. The former censors discussion of LGBTQ people in some classroom settings, and the latter censors all classroom discussions of LGBTQ people or issues.
- **Bills allowing for religious exemptions on college campuses, also known as “campus license to discriminate” bills.** These bills generally allow student groups to discriminate yet still receive school/public funding. These bills are excluded because they focus exclusively on higher education, while this report focuses primarily on K-12 settings.

ENDNOTES

- ¹ In addition to this report, see also: Mica Pollock, John Rogers, Alexander Kwako, Andrew Matschiner, Reed Kendall, Cicely Bingener, Erika Reece, et al. 2022. *The Conflict Campaign: Exploring Local Experiences of the Campaign to Ban “Critical Race Theory” in Public K-12 Education in the U.S., 2020-2021*. UCLA Institute for Democracy, Education, and Access.
- ² PEN America. 2021. *Educational Gag Orders: Legislative Restrictions on the Freedom to Read, Learn, and Teach*.
- ³ Heron Greenesmith. 2021. “New Anti-Trans Promise.” Political Research Associates.
- ⁴ Kathryn Joyce. 2022. “‘Parental rights’ started on the Christian fringe – now it’s the GOP’s winning issue.” *Salon*, January 12.
- ⁵ GLSEN. 2022. *Inclusive Curricular Standards: Representation of LGBTQ+ and Other Marginalized Communities Promotes Student Achievement and Wellbeing*.
- ⁶ J.G. Kosciw, C.M. Clark, N.L. Truong, and A.D. Zongrone. 2020. *The 2019 National School Climate Survey: The Experiences of Lesbian, Gay, Bisexual, Transgender, and Queer Youth in Our Nation’s Schools*. New York: GLSEN.
- ⁷ Morning Consult and The Trevor Project. 2022. *Issues Impacting LGBTQ Youth: Polling Analysis*. New York: The Trevor Project.
- ⁸ The Trevor Project. 2021. “New Data Illuminates Mental Health Concerns Among Texas’ Transgender Youth Amid Record Number of Anti-Trans Bills.”
- ⁹ U.S. Census Bureau. 2019. “Table B09001: Population Under 18 Years By Age.” 2019 American Community Survey 1-Year Estimates. Number of youth in the 42 states identified in *Figure X*.
- ¹⁰ Sarah Schwartz. 2021. “Who’s Really Driving Critical Race Theory Legislation? An Investigation.” *Education Week*, July 19.
- ¹¹ J.G. Kosciw, C.M. Clark, N.L. Truong, and A.D. Zongrone. 2020. *The 2019 National School Climate Survey: The Experiences of Lesbian, Gay, Bisexual, Transgender, and Queer Youth in Our Nation’s Schools*. New York: GLSEN.
- ¹² Soon Kyu Choi, Bianca D.M. Wilson, Jama Shelton, and Gary J. Gates. 2015. *Serving Our Youth: The Needs and Experiences of Lesbian, Gay, Bisexual, Transgender, and Questioning Youth Experiencing Homelessness*. UCLA: The Williams Institute.
- ¹³ Stephen Russell, Amanda Pollitt, Gu Li, and Arnold Grossman. 2018. “Chosen Name Use is Linked to Reduced Depressive Symptoms, Suicidal Ideation, and Suicidal Behavior Among Transgender Youth.” *Journal of Adolescent Health* 63(4): 503-505.
- ¹⁴ The Trevor Project. 2020. *2020 National Survey on LGBTQ Youth Mental Health*. New York: The Trevor Project.
- ¹⁵ Jenny Gross. 2022. “School Board in Tennessee Bans Teaching of Holocaust Novel ‘Maus’” *The New York Times*, Jan 27.
- ¹⁶ Blythe Bernhard. 2022. “Wentzville School Board bans acclaimed novel from high school libraries over obscenity complaints.” *St. Louis Post Dispatch*, Jan 26.
- ¹⁷ Molly Sprayregen. 2022. “GOP mayor holds library funds hostage until ‘homosexual’ books are taken off shelves.” *LGBTQ Nation*, Jan 26.

ABOUT THIS SPOTLIGHT

This report is part of an ongoing series that will provide in-depth analyses of laws and policies tracked at the Movement Advancement Project's "Equality Maps," found at www.lgbtmap.org/equality-maps. The information in this report is current as of the date of publication.



movement advancement project ▶

1905 15th Street #1097 • Boulder, CO 80306-1097
1-844-MAP-8800
www.lgbtmap.org