LGBTQ Youth: 
LGBTQ Curricular Laws

No updates required since September 25, 2023

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Recommended citation:
Background

LGBTQ-related curricular laws are important for LGBTQ students’ health, wellbeing, and academic success. This document and related Equality Map show multiple distinct policies related to LGBTQ inclusion in—or exclusion from—school curricula or standards.

**LGBTQ-Inclusive Curricular Standards:** In most cases, these laws explicitly require the state’s curricular standards to include LGBTQ people and history, such as in subjects like history, civics, or social studies. Often these laws also require inclusive representation of other communities, such as specific communities of color, people with disabilities, or religious minorities. In some instances, these laws require the state’s department of education to create an LGBTQ-inclusive model curriculum, though do not require schools to adopt or use this curriculum. As GLSEN argues, this at least “encourage[s] and lower[s] the barrier for local education agencies to adopt inclusive curriculum.” Visit GLSEN to learn more about the importance of inclusive curricular standards, as well as the difference between curricular standards and curriculum.

**Negative Law: Parental Notification of LGBTQ-Related Curricula:** The laws require parents to be notified in advance of any LGBTQ-related curricula and allow parents to opt their children out of—or in some cases, require parents to opt their children in to—these classes. These laws build on existing state laws about parental notification and opt-out/opt-in for sex education, but the LGBTQ-specific laws are distinct because they require parental notification and opt-out/opt-in for any LGBTQ- or sexuality-related content, regardless of whether or not the content is in the context of sex education. For more about sex education policy, including parental notification laws, see SIECUS’s research.

**Negative Law: “Don’t Say Gay or Trans” or “Don’t Say LGBTQ” Censorship Laws:** These policies ban or restrict schoolteachers and staff from discussing LGBTQ issues and people at all, often including in books, learning materials, outside presentations, and more. This style of anti-LGBTQ censorship laws date back to the late 1980s amid the HIV/AIDS crisis, but since 2020 have seen a resurgence. In states with older-era policies still on the books (such as in LA or TX), these laws ban such discussion within sex education programming, but they were often intentionally written to be vague and can be misapplied by schools to limit discussion and inclusion of LGBTQ people and issues in other parts of the curriculum, school events and programs, and even extracurricular activities (e.g., incorrectly interpreted to prohibit Gay-Straight or Gender-Sexuality Alliances (GSAs)). More recently enacted bans policies (such as in FL) explicitly censor such discussions throughout all school curricula, not only in sex/health education.
Equality Map & Additional Resources

- See our [Equality Map: LGBTQ Curricular Laws](#), which is updated and maintained in real time alongside this document.

- See our related research:

  - (Feb-Sept 2023) *Under Fire: The War on LGBTQ People in America* – a report series connecting the dots on the varied ways that LGBTQ people are under siege across virtually every aspect of life. Report #2 (*Under Fire: Erasing LGBTQ People From Schools and Public Life*) in particular focuses on attacks in school settings, including the resurgence of “Don’t Say LGBTQ” laws and similar censorship efforts.

  - (March 2022) *Policy Spotlight: Curriculum Censorship & Hostile School Climate Bills* – an in-depth report examining the wave of state legislation seeking to ban or censor discussions of race, ethnicity, religion, and LGBTQ people in schools, and to more broadly create a hostile school climate for students of many backgrounds.

- Visit [GLSEN](#) to learn more about the importance of inclusive curricular standards for all students.
## Summary Table

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
<th>List</th>
<th>Source Link</th>
<th>Year</th>
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<tbody>
<tr>
<td>States that explicitly require LGBTQ inclusion in state curricular standards</td>
<td>6 states</td>
<td>California</td>
<td>SB 48</td>
<td>2011</td>
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<td></td>
<td></td>
<td>Colorado</td>
<td>HB 1192</td>
<td>2019</td>
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<td>Illinois</td>
<td>HB 246</td>
<td>2019</td>
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<td>Nevada</td>
<td>AB 261</td>
<td>2021</td>
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<td></td>
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<td>New Jersey</td>
<td>S 1569</td>
<td>2019</td>
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<td></td>
<td>Oregon</td>
<td>HB 2023</td>
<td>2019</td>
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<tr>
<td>States that require the state department of education to create LGBTQ-inclusive model curriculum, but do not require schools to use it</td>
<td>1 state</td>
<td>Connecticut</td>
<td>HB 6619</td>
<td>2021</td>
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<tr>
<td>States with none of these LGBTQ-specific curricular laws</td>
<td>29 states, D.C., and 5 territories</td>
<td>All others</td>
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<td></td>
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<tr>
<td>States that require parental notification of LGBTQ-related curricula and allow parents to opt their children out (or require parental opt-in)</td>
<td>5 states</td>
<td>Arizona</td>
<td>HB 2035</td>
<td>2021</td>
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<td>Arkansas*</td>
<td>SB 389</td>
<td>2021</td>
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<td>Florida*</td>
<td>HB 241</td>
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<td>SB 99</td>
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<td>HB 727 (opt-in)</td>
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<td>HB 529 (opt-out)</td>
<td>2021</td>
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<tr>
<td>States that censor discussions of LGBTQ people or issues in school (i.e., “Don’t Say LGBTQ” laws)</td>
<td>11 states</td>
<td>Alabama</td>
<td>HB 322</td>
<td>2022</td>
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<td>SB 294</td>
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<td>HB 1557 (K-3)</td>
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<td>HB 1069 (preK-8)</td>
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<td>Board of Education Rules 6A-10.081</td>
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<td>Indiana</td>
<td>HB 1608</td>
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<td>Iowa</td>
<td>SF 496</td>
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<td>Kentucky</td>
<td>SB 150</td>
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<td>Louisiana*</td>
<td>HB 484</td>
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<td>Mississippi*</td>
<td>HB 1304</td>
<td>1998</td>
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<td>North Carolina</td>
<td>S 49</td>
<td>2023</td>
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<td>Oklahoma*</td>
<td>HB 1476</td>
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<td>Texas*</td>
<td>HB 949</td>
<td>1991</td>
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</tbody>
</table>
State-by-State Sources & More Detail

Alabama
- State has “Don't Say Gay or Trans” law. Applies to grades K-5. See HB 322 (2022).
- Previously, state had “Don't Say Gay” law (SB 72, 1992), repealed by HB 385 (2021).

Alaska
- None of these LGBTQ-specific curricular laws

Arizona
- State law requires parental notification of LGBTQ-related curricula and allows parents to opt children out. See HB 2035 (see Sec 15-102(A)(5)) (July 2021).
  - Bill changed existing parental opt-out for any instruction “regarding sexuality” outside of sex education classes to requiring parental opt-in – further limiting access to inclusive curricula.
- Formerly had “Don’t Say Gay” law (SB 1396, 1991), repealed by SB 1346 (2019).

Arkansas
- State law requires parental notification of LGBTQ-related curricula and allows parents to opt children out. See SB389 / Act 552 (April 2021).

California

Colorado
- State law requires LGBTQ-inclusive curricular standards. See HB1192 (2019).

Connecticut
- State law requires state department of education to develop an LGBTQ-inclusive model curriculum but does not require schools to adopt/use it. See HB6619, included in budget bills SB1202/HB6689 (see Sec 29(b)item 25, p44 of HB6689) (2021).

Delaware
- None of these LGBTQ-specific curricular laws

District of Columbia
- None of these LGBTQ-specific curricular laws
Florida
- State has “Don’t Say Gay or Trans” law. See HB1557 (2022; K-3), HB1069 (2023; preK-8) and State Board of Education rules 6A-10.081 (2023; preK-12*).
  - *Note, the Board rule bans all instruction for grades preK-3, and also bans for grades 4-12 unless such instruction is “expressly required by state academic standards” or as part of a reproductive health course/lesson that parents can opt their children out of.
- State law requires parental notification of LGBTQ-related curricula and allows parents to opt children out. See HB241 (see Sec 1014.05(d), p8) (June 2021).

Georgia
- None of these LGBTQ-specific curricular laws

Hawaii
- None of these LGBTQ-specific curricular laws

Idaho
- None of these LGBTQ-specific curricular laws

Illinois
- State law requires LGBTQ-inclusive curricular standards. See HB246 (2019).

Indiana
- State has “Don’t Say Gay or Trans” law, for grades preK-3. See HB1608 (2023).

Iowa
- State has “Don’t Say Gay or Trans” law, for grades K-6. See SF496 (2023), Section 16.

Kansas
- None of these LGBTQ-specific curricular laws

Kentucky
- State has “Don’t Say Gay or Trans” law, for all grades K-12. See SB150 (2023), Section 2(1)(d)2.

Louisiana

Maine
- None of these LGBTQ-specific curricular laws

Maryland
- None of these LGBTQ-specific curricular laws

Massachusetts
- None of these LGBTQ-specific curricular laws
Michigan
- None of these LGBTQ-specific curricular laws

Minnesota
- None of these LGBTQ-specific curricular laws

Mississippi

Missouri
- None of these LGBTQ-specific curricular laws

Montana
- State law requires parental notification of LGBTQ-related curricula and allows parents to opt children out. See SB99 (April 2021) and SB518 (May 2023).
  - SB99 (2021) is written as requiring parental notification of sex education, but defines sex education to include any information about sexual orientation or gender identity.
  - SB518 (2023) allows parents to withdraw child from any instruction or presentations, assemblies, guest lectures, or other educational events facilitated by a school's faculty or staff, including those conducted by outside individuals or organizations, that offend the parent's beliefs or practices.”

Nebraska
- None of these LGBTQ-specific curricular laws

Nevada

New Hampshire
- None of these LGBTQ-specific curricular laws

New Jersey

New Mexico
- None of these LGBTQ-specific curricular laws

New York
- None of these LGBTQ-specific curricular laws

North Carolina
- State has “Don’t Say Gay or Trans” law, applies to grades K-4. See S49, §115C-76.55 (2023).
- Formerly had “Don’t Say Gay” law (H834/S788, 1995), repealed by SB602 (2006).
North Dakota
• None of these LGBTQ-specific curricular laws

Ohio
• None of these LGBTQ-specific curricular laws

Oklahoma
• State has “Don’t Say Gay” law (HB1476, April 1987). See Okla. Stat. tit. 70, § 11-103.3(D).

Oregon
• State law requires LGBTQ-inclusive curricular standards. See HB2023 (2019).

Pennsylvania
• None of these LGBTQ-specific curricular laws

Rhode Island
• None of these LGBTQ-specific curricular laws

South Carolina
• None of these LGBTQ-specific curricular laws
• Formerly had “Don’t Say Gay” law (Act No. 437, 1988), repealed by court settlement (2020).

South Dakota
• None of these LGBTQ-specific curricular laws

Tennessee
• State law requires parental notification of LGBTQ-related curricula and requires parents to opt children in to this instruction. See HB727/SB1443 (2023). See HB529/SB1229 (May 2021) for an earlier opt-out law.

Texas
• State has “Don’t Say Gay” law (HB949/SB404, 1991; see relevant sections beginning page 49, especially Sec. 85.007). See Texas Health & Safety Code § 85.007 and Texas Health & Safety Code § 163.002.

Utah
• None of these LGBTQ-specific curricular laws
• Formerly had “Don’t Say Gay” law (SB75, 2001; see former Utah Code § 53A-13-101), repealed by SB196 (2017).

Vermont
• None of these LGBTQ-specific curricular laws
Virginia
  • None of these LGBTQ-specific curricular laws

Washington
  • None of these LGBTQ-specific curricular laws

West Virginia
  • None of these LGBTQ-specific curricular laws

Wisconsin
  • None of these LGBTQ-specific curricular laws

Wyoming
  • None of these LGBTQ-specific curricular laws

U.S. Territories

American Samoa
  • None of these LGBTQ-specific curricular laws

Guam
  • None of these LGBTQ-specific curricular laws

Northern Mariana Islands
  • None of these LGBTQ-specific curricular laws

Puerto Rico
  • None of these LGBTQ-specific curricular laws

U.S. Virgin Islands
  • None of these LGBTQ-specific curricular laws