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LGBTQ Youth: LGBTQ Curricular Laws

No updates required since January 2, 2024

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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: Restrictions on Discussions of Homosexuality in Specific Curricula/Subjects: These laws, which first emerged during the HIV/AIDS crisis in the late 1980s, were sometimes referred to as “No Promo Homo” laws, because they generally banned states from “promoting” or discussing homosexuality in positive or even neutral terms—instead requiring schools to only refer to homosexuality as criminal, dangerous, not acceptable or moral, or other discriminatory and stigmatizing terms. These laws all applied to the specific context of sexual or health education programming, but they were often intentionally 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)). For more on the continuing harms of these laws today, see [GLSEN's research](#) on the impacts on school environments, services, and student experiences.

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: Censoring Discussions of LGBTQ People Throughout All School Curricula: Often referred to as “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—with a much broader and more explicit scope. These more recently enacted policies explicitly censor such discussions throughout *all school curricula*, not only in sex/health education.



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Equality Map & Additional Resources

- See our [Equality Map: LGBTQ Curricular Laws](#), which is updated and maintained in real time alongside this document.
- See MAP's 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:
 - (2022) [Inclusive Curricular Standards](#) – a resource detailing the importance and positive impacts of inclusive curricular standards for all students, and further explaining the difference between curriculum and curricular standards.
 - (2018) [Laws that Prohibit the ‘Promotion of Homosexuality’: Impacts and Implications](#) – a research brief examining the harms to students and school environments in states with the older style censorship laws. For example, students in states with these older laws were less likely to see LGBTQ people and topics throughout the school’s curriculum (not only in sex education), but were more likely to see negative representations of LGBTQ people. They were also less likely to have supportive resources such as GSAs, anti-bullying policies, and more.



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Summary Table

Table 1: Current Laws, Sources, and Year Enacted

Category	Number	List	Source Link	Year
States that explicitly require LGBTQ inclusion in state curricular standards	6 states	California	SB 48	2011
		Colorado	HB 1192	2019
		Illinois	HB 246	2019
		Nevada	AB 261	2021
		New Jersey	S 1569	2019
		Oregon	HB 2023	2019
States that require the state department of education to create LGBTQ-inclusive model curriculum, but do not require schools to use it	1 state	Connecticut	HB 6619	2021
States with none of these LGBTQ-specific curricular laws	29 states, D.C., and 5 territories	All others		
States that restrict how schools can discuss homosexuality in specific curricula (e.g., sex education)	4 states	Louisiana	HB 484	1987
		Mississippi	HB 1304	1998
		Oklahoma	HB 1476	1987
		Texas	HB 949	1991
States that require parental notification of LGBTQ-related curricula and allow parents to opt their children out (or require parental opt-in)	5 states <i>*including 2 states that also have "Don't Say LGBTQ" laws</i>	Arizona	HB 2035	2021
		Arkansas*	SB 389	2021
		Florida*	HB 241	2021
		Montana	SB 99	2021
		Tennessee	HB 727 (opt-in)	2023
			HB 529 (opt-out)	2021
States that censor discussions of LGBTQ people or issues throughout school curricula (i.e., "Don't Say LGBTQ" laws)	7 states	Alabama	HB 322	2022
		Arkansas	SB 294	2023
		Florida	HB 1557 (K-3)	2022
			HB 1069 (preK-8)	2023
			Board of Education Rules 6A-10.081	2023
		Indiana	HB 1608	2023
		Iowa	SF 496	2023
		Kentucky	SB 150	2023
		North Carolina	S 49	2023



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Table 2: Comparing Older and More Recent School Censorship Laws

This table shows the key text of older-style (1987-2001) laws restricting school discussions of “homosexuality” in specific contexts (sex/health education), compared to more recent (2021-today) laws explicitly banning or censoring discussion of LGBTQ people and issues throughout all curricula.

Category	State	Excerpt	Year enacted
Older-style laws restricting discussions of “homosexuality” in specific school subjects (1987-2001)	Alabama	Any program or curriculum that includes sex education should include... “(8) An emphasis, in a factual manner and from a public health perspective, that homosexuality is not a lifestyle acceptable to the general public and that homosexual conduct is a criminal offense under the laws of the state.”	1992 (repealed 2021)
	Arizona	In AIDS education , “C. No district shall include in its course of study instruction which: 1. Promotes a homosexual life-style. 2. Portrays homosexuality as a positive alternative life-style. 3. Suggests that some methods of sex are safe methods of homosexual sex.”	1991 (repealed 2019)
	Louisiana	Sex education shall not include “practices in human sexuality,” and “No sex education course offered in the public schools of the state shall utilize any sexually explicit materials depicting male or female homosexual activity.”	1987 (still on books)
	Mississippi	“ Abstinence-only education shall remain the state standard for any sex-related education taught in the public schools. For purposes of this section, abstinence-only education includes any type of instruction or program which, at an appropriate age ...[t]eaches the current state law related to sexual conduct, including forcible rape, statutory rape, ...and homosexual activity ...and teaches that a mutually faithful, monogamous relationship in the context of marriage is the only appropriate setting for sexual intercourse.”	1998 (still on books)
	North Carolina	Health education shall teach that “a mutually faithful monogamous heterosexual relationship in the context of marriage is the best lifelong means of avoiding diseases transmitted by sexual contact, including Acquired Immune Deficiency Syndrome (AIDS)...” and “Any instruction concerning the causes of sexually transmitted diseases, including Acquired Immune Deficiency Syndrome (AIDS), in cases where homosexual acts are a significant means of transmission, shall include the current legal status of those acts.”	1995 (repealed 2006; language on legal status of homosexual acts was removed, but language about heterosexual relationships remains)



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Older-style laws restricting discussions of "homosexuality" in specific school subjects (1987-2001)	Oklahoma	" AIDS prevention education shall specifically teach students that: 1. engaging in homosexual activity, promiscuous sexual activity, intravenous drug use or contact with contaminated blood products is now known to be primarily responsible for contact with the AIDS virus; 2. avoiding the activities specified in paragraph 1 of this subsection is the only method of preventing the spread of the virus."	1987 (still on books)
	South Carolina	In health education , "The program of instruction provided for in this section may not include a discussion of alternative sexual lifestyles from heterosexual relationships including, but not limited to, homosexual relationships except in the context of instruction concerning sexually transmitted diseases."	1988 (repealed 2020)
	Texas	"Course materials and instruction relating to sexual education or sexually transmitted diseases should include: emphasis, provided in a factual manner and from a public health perspective, that homosexuality is not a lifestyle acceptable to the general public and that homosexual conduct is a criminal offense under Section 21.06, Penal Code."	1991 (still on books)
	Utah	In health instruction , materials adopted shall comply with state law and state board rules "prohibiting instruction in... the advocacy of homosexuality"	2001 (repealed 2017)
"Don't Say LGBTQ" (2021-today)	Alabama	In K-5, "shall not engage in classroom discussion or provide classroom instruction regarding sexual orientation or gender identity in a manner that is not age appropriate or developmentally appropriate for students in accordance with state standards"	2022
	Arkansas	"(c) Before grade five (5), a public school teacher shall not provide classroom instruction on the following topics: (1) Sexually explicit materials; (2) Sexual reproduction; (3) Sexual intercourse; (4) Gender identity; or (5) Sexual orientation."	2023
	Florida	"Classroom instruction by school personnel or third parties on sexual orientation or gender identity may not occur in kindergarten through grade 3 or in a manner that is not age appropriate or developmentally appropriate for students in accordance with state standards."	2022 law
		"Classroom instruction by school personnel or third parties on sexual orientation or gender identity may not occur in pre kindergarten kindergarten through grade 8 , except when required by ss. 1003.42(2)(n)3. and 1003.46. If such instruction is provided in grades 9 through 12, the instruction must be age-appropriate or	2023 law



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		developmentally appropriate for students in accordance with state standards.”	
		“Obligation to the student requires that the individual [teacher]: ...6. Shall not intentionally provide classroom instruction to students in prekindergarten through grade 3 on sexual orientation or gender identity. 7. Shall not intentionally provide classroom instruction to students in grades 4 through 12 on sexual orientation or gender identity unless such instruction is either expressly required by state academic standards as adopted in Rule 6A-1.09401, F.A.C., or is part of a reproductive health course or health lesson for which a student’s parent has the option to have his or her student not attend.”	2023 regulations
	Indiana	“Sec. 2. A school, an employee or staff member of a school, or a third party vendor used by a school to provide instruction may not provide any instruction to a student in prekindergarten through grade 3 on human sexuality.” (“human sexuality” not defined)	2023
	Iowa	“A school district shall not provide any program, curriculum, test, survey, questionnaire, promotion, or instruction relating to gender identity or sexual orientation to students in kindergarten through grade six.”	2023
	Kentucky	“(d) A policy to respect parental rights by ensuring that: 1. Children in grade five (5) and below do not receive any instruction through curriculum or programs on human sexuality or sexually transmitted diseases; or 2. Any child, regardless of grade level, enrolled in the district does not receive any instruction or presentation that has a goal or purpose of students studying or exploring gender identity, gender expression, or sexual orientation;”	2023
	North Carolina	“§ 115C-76.55. Age-appropriate instruction for grades kindergarten through fourth grade. Instruction on gender identity, sexual activity, or sexuality shall not be included in the curriculum provided in grades kindergarten through fourth grade, regardless of whether the information is provided by school personnel or third parties. For the purposes of this section, curriculum includes the standard course of study and support materials, locally developed curriculum, supplemental instruction, and textbooks and other supplementary materials, but does not include responses to student-initiated questions.”	2023



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 law restricting discussions of homosexuality in sex/health education ([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.
- Previously, state had law restricting discussions of homosexuality in sex/health education (SB 1396, 1991), repealed by [SB 1346](#) (2019).

Arkansas

- State has **“Don't Say Gay or Trans”** law. Applies to grades K-4. See [SB294](#)/Act 237 (2023).
- State law requires **parental notification of LGBTQ-related curricula** and allows parents to opt children out. See [SB389](#) / [Act 552](#) (April 2021).

California

- State law requires **LGBTQ-inclusive curricular standards**. See [SB48](#) (2011).

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
- Note: In 2022, the state passed a [resolution](#), but not legislation, encouraging the state department of education to develop LGBTQ-inclusive model curriculum for grades 7-12. The resolution specifically uses the word “encourages” rather than “requires,” so is not included on this map.

District of Columbia

- None of these LGBTQ-specific curricular laws



Florida

- State has **“Don't Say LGBTQ”** 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

Hawai'i

- 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 LGBTQ”** law, for grades preK-3. See [HB1608](#) (2023).
- In June 2023, a lawsuit was filed against this censorship law. See [Smiley v. Jenner](#).

Iowa

- State has **“Don't Say LGBTQ”** law, for grades K-6. See [SF496](#) (2023), Section 16.
- In December 2023, a federal judge [temporarily blocked](#) parts of the state's law. See [Iowa Safe Schools et al v. Reynolds](#) (filed November 2023).

Kansas

- None of these LGBTQ-specific curricular laws

Kentucky

- State has **“Don't Say LGBTQ”** law, for all grades K-12. See [SB150](#) (2023), Section 2(1)(d)2.

Louisiana

- State has law **restricting discussions of homosexuality in sex/health education** (HB484, July 1987). See [La. Rev. Stat. § 17:281A\(3\)](#).

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

- State has law **restricting discussions of homosexuality in sex/health education**. See [HB1304](#) (1998) and [Miss. Code Ann. § 37-13-171](#).

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).
 - 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.
 - See also [SB518](#) (May 2023), which does not require notification but 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

- State law requires **LGBTQ-inclusive curricular standards**. See [AB261](#) (2021).

New Hampshire

- None of these LGBTQ-specific curricular laws

New Jersey

- State law requires **LGBTQ-inclusive curricular standards**. See [S1569/A1335](#) (2019).

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 law restricting discussions of homosexuality in sex/health education ([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 law **restricting discussions of homosexuality in sex/health education**. See HB1476 (April 1987) and [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 law **restricting discussions of homosexuality in sex/health education** law ([HB949/SB404](#), 1991; see relevant sections beginning page 49, especially Sec. 85.007). See also [Texas Health & Safety Code § 85.007](#) and [Texas Health & Safety Code § 163.002](#).



Utah

- None of these LGBTQ-specific curricular laws
- Formerly had law restricting discussions of homosexuality in sex/health education ([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