



“Parents’ Rights Actually Mean Every Parent, Not Just Some”: Navigating Parental Rights in Public Schools under the Pending Threat of Anti-LGBTQ+ Legislation

Hannah Knipp

University of Montana
United States

Citation: Knipp, H. (2025). “Parents’ rights actually mean every parent, not just some”: Navigating parental rights in public schools under the pending threat of anti-LGBTQ+ legislation. *Education Policy Analysis Archives*, 33(42). <https://doi.org/10.14507/epaa.33.9004>

Abstract: Conducted in a critical transitional period in 2023, this article explores how eight school professionals in New Orleans public charter schools perceived and responded to proposed state-level anti-LGBTQ+ educational legislation. During the liminal period following the proposal of two anti-LGBTQ+ bills in Louisiana, but prior to their eventual enactment in 2024, educators reflected on how parental rights impacted schools currently, their fears and worries about the new legislation, and plans to resist the new legislation. Refracted through the lenses of institutional theory and chilling effects theory, potential consequences and implications of the legislation are discussed, ultimately concluding that the current political environment has the potential to further ingratiate prevailing cisheteronormativity embedded within the school system.

Keywords: LGBTQ+; educators; policy; qualitative research; parent rights; gender

“Derechos parentales significan realmente todos los padres, no solo algunos”: Navegando los derechos parentales en las escuelas públicas bajo la amenaza inminente de legislación anti-LGBTQ+

Resumen: Realizado en un período de transición crítica en 2023, este artículo explora cómo ocho profesionales de escuelas públicas autónomas en Nueva Orleans percibieron y respondieron a la

legislación educativa estatal propuesta contra las personas LGBTQ+. Durante el período liminal posterior a la propuesta de dos leyes anti-LGBTQ+ en Luisiana, pero antes de su promulgación en 2024, los educadores reflexionaron sobre cómo los derechos parentales impactaban actualmente a las escuelas, sus temores y preocupaciones respecto a la nueva legislación, y los planes para resistirla. A través de los lentes de la teoría institucional y la teoría de los efectos paralizantes (chilling effects), se discuten las posibles consecuencias e implicaciones de la legislación, concluyendo que el entorno político actual tiene el potencial de afianzar aún más la cisheteronormatividad prevalente en el sistema escolar.

Palabras clave: LGBTQ+; educadores; política educativa; investigación cualitativa; derechos parentales; género

“Direitos parentais significam realmente todos os pais, não apenas alguns”: Navegando os direitos parentais em escolas públicas sob a ameaça iminente de legislação anti-LGBTQ+

Resumo: Realizado em um período de transição crítica em 2023, este artigo explora como oito profissionais de escolas públicas charter em Nova Orleans perceberam e responderam à legislação educacional anti-LGBTQ+ proposta em nível estadual. Durante o período liminar após a proposta de dois projetos de lei anti-LGBTQ+ na Louisiana, mas antes de sua promulgação em 2024, educadores refletiram sobre como os direitos parentais impactam atualmente as escolas, seus medos e preocupações em relação à nova legislação, e os planos para resisti-la. A partir das lentes da teoria institucional e da teoria dos efeitos inibidores (chilling effects), são discutidas as possíveis consequências e implicações da legislação, concluindo-se que o ambiente político atual tem o potencial de reforçar ainda mais a cisheteronormatividade dominante no sistema escolar.

Palavras-chave: LGBTQ+; educadores; política educacional; pesquisa qualitativa; direitos parentais; gênero

“Parents’ Rights Actually Mean Every Parent, Not Just Some”: Navigating Parental Rights in Public Schools under the Pending Threat of Anti-LGBTQ+ Legislation

There has been an unrelenting barrage of anti-LGBTQ+ educational policies around the United States in recent years, especially in predominantly conservative states such as Florida and Texas (Choi, 2024; Reed, 2025). Perhaps most notoriously, Florida’s Parental Rights in Education Act (H.B. 1557), often described as the “Don’t Say Gay” bill, was successfully passed into law in 2022 (Parental Rights in Education, 2022), spurring into action an onslaught of similar laws around the country. Indeed, there has been an exponential rise in the number of anti-LGBTQ+ legislative bills proposed in recent years, rising from 3 in 2019 to 85 in 2021 to 314 in 2023 (Choi, 2024). Closely related, anti-DEI and anti-CRT efforts have also been on the rise in the states. Over 850 anti-CRT local, state, or federal initiatives have been introduced since 2020 (Alexander et al., n.d.). Schools are subjected to a coordinated effort to control and censure any curricular content that threatens existing hegemonic social hierarchies.

Since the election of President Trump in 2025, the federal government has only emboldened this effort through the dissemination of its own anti-DEI and anti-LGBTQ+ educational policy. On Trump’s first day in office, he made his educational agenda clear with the release of two inter-related executive orders aimed to end “radical” DEI programs and “gender ideology extremism” (Exec. Order No. 14151, 2025; Exec. Order No. 14168, 2025). The anti-DEI directive was followed shortly

after by a memo threatening to stop funding schools not in compliance (Exec. Order No. 14151, 2025; Trainor, 2025). Further, the anti-trans directive rescinded protective guidance previously released by the Department of Education, including many toolkits and resource guides for not only supporting transgender students, but also LGBTQ+ students in schools more broadly (Exec. Order No. 14168, 2025).

Masquerading under the rhetoric of parental rights, these initiatives are a coordinated backlash against LGBTQ+ rights and protections gained in recent years. Conservative groups such as Alliance Defending Freedom, Moms for Liberty, and the Heritage Foundation have supported the proliferation of anti-LGBTQ+ educational bills, school policies, and book bans (Contreras, 2023; Factora, 2023). Advocacy organizations and activists have subsequently contested these initiatives on legal grounds, with some success, such as the recent settlement in Florida that specified and limited some of the scope of H. B. 1557, but without overturning the law itself (Prieur, 2024). However, given the anti-trans rhetoric proliferating from the federal government, the worst might still be yet to come, as the national legislation risk rises for transgender Americans (Reed, 2025).

Under the threat of these proposed laws, LGBTQ+ students are subjected to a targeted and antagonistic attempt at erasure (McQuillan et al., 2024), taking a toll on their mental health. A poll conducted in 2022 with over 700 LGBTQ youth found that 71% of LGBTQ youth and 86% of trans and nonbinary youth reported that their mental health was “very negatively” or “somewhat negatively” impacted simply from hearing debates around anti-LGBTQ+ legislation (Morning Consult, 2023). Schools are caught in the crosshairs of these bills, obligated to provide a quality, equitable education to all students while also following state law. Moreover, the translation of policy into practice is not always straightforward, raising questions about how these policies may actually impact schools. As an increasing number of anti-LGBTQ+ educational policies are proposed and passed around the nation, it is imperative to understand how schools respond to these initiatives. Drawing on interviews with eight school professionals in New Orleans public charter schools, this inquiry explores the research question: How do school professionals in New Orleans public charter schools perceive and respond to proposed anti-LGBTQ+ educational policies? Informed by institutional theory and chilling effects theory, this study provides key insights into the perceptions of school professionals working in schools during a key period of rising anti-LGBTQ+ educational policies in K-12 schools.

LGBTQ+ Youth and Schools

LGBTQ+ youth in schools are often discussed in relation to bullying victimization, low rates of school belonging, school safety concerns, and high rates of absenteeism due to perceived lack of safety in school (e.g., Abreu et al., 2022; Kosciw et al., 2022). Unfortunately, research on LGBTQ+ youth in schools has often overly focused on bullying and harassment, positioning schools as uniformly dangerous and LGBTQ+ youth as unsafe and at-risk, flattening the contradictory and complex realities of youth in schools who describe much more nuanced and shifting tensions between safety and danger (Gilbert et al., 2018). Moreover, the overt and consistent focus on “safety” within the LGBTQ+ educational literature contributes to a stigmatizing narrative of victimization and passivity that urgently needs redressing (Hernández & Barcelos, 2023). A shift away from an exclusive focus on the micro-level safety concerns and towards the macro-level school culture is indicated by these findings.

The (in)actions of school staff have a powerful impact on the experiences of LGBTQ+ youth. School staff often fail to intervene when students make homophobic or transphobia remarks in school, perhaps contributing to the low rate of LGBTQ+ students reporting harassing behavior

to school staff (Kosciw et al., 2022). Moreover, school staff can directly contribute to creating a hostile environment for LGBTQ+ students, with many LGBTQ+ students reporting incidents of school staff making disparaging remarks related to sexuality (58%) or gender expression (72%) (Kosciw et al., 2022). Conversely, school staff can also provide support for LGBTQ+ youth, a key protective factor (Gorse, 2020). However, even supportive school administrations often focus on reactive rather than proactive supports and fail to effectively disrupt the underlying “heteronormatizing school environment” (p. 229) that positions cisgender heterosexuality as the norm (Steck & Perry, 2018). Scholars have criticized the ineffectiveness of “symbolic gestures” (Flint et al., 2023, p. 481) of allyship in educational institutions, such as soliciting student names and pronouns without challenging embedded cisheteronormative practices. Although the importance of supportive school staff should not be minimized, structural changes are vital to supporting LGBTQ+ youth.

Commonly recommended macro-level approaches that schools can take to support LGBTQ+ students include comprehensive policy enactment, ongoing professional development for school staff, implementation of LGBTQ+ inclusive curriculum, and extra-curricular support (e.g., Gender and Sexuality Alliances) (e.g., Abreu et al., 2022; Gorse, 2020). However, some of these recommendations, such as the enactment of zero-tolerance antibullying policies, are embedded in the neoliberal logic of carceral punishments and individualizing problems that are actually systemic, often at the expense of LGBTQ+ youth of color (Hernández & Barcelos, 2023). Thus, alternative approaches, such as addressing how cisheteronormativity is embedded within the school as an institution, restorative or transformative justice, building critical consciousness, and centering youth agency have also been suggested as more inclusive and effective macro-level approaches (Hernández & Barcelos, 2023; Miller, 2019).

“Don’t Say Gay” and Anti-LGBTQ+ Educational Policies

Proposed anti-LGBTQ+ educational policies have addressed a wide range of topics, including classroom discussions of gender and sexuality, mandated parent notification of name or pronoun changes, facilities access, and sports team participation – to name a few (Choi, 2024). These policies are often predicated around the framing of parental rights, specifically the purported right of parents to limit their child’s exposure to ideas that conflict with their religious or moral values (Chiang & Killian, 2024; Mayo, 2021). However, on further analysis, parental rights are limited to a certain subset of parents, notably neglecting the rights of parents who wish to support their LGBTQ+ children (Mayo, 2021). Moreover, the emphasis on parental rights to *restrict* their children’s educational experiences has been described as in direct conflict with a child’s right to *receive* a quality education, as outlined in the UN Convention on the Rights of Children (Chiang & Killian, 2024). The rhetoric of parental rights underscores the positioning of children as “objects” and parents as “subjects” (Williams & Crimmins, 2024), making clear whose rights are privileged within anti-LGBTQ+ educational policies. A comparison conducted by Hornbeck (2023) of educational model policies under two Virginia governors noted the stark change in ratio of parent references and student references before (36 parent: 304 student) and after (100 parent: 131 student) the election of a conservative governor running on a platform of parental rights. As a result, scholars have called for a recalibration away from parental rights and towards the educational rights of children to receive a quality education that will prepare them to thrive in a diverse world (Chiang & Killian, 2024; Mayo, 2021).

The seemingly endless assault of anti-LGBTQ+ educational policy has been characterized as part of a larger “politics of distraction” or “well-timed policy proposals or so-called ‘crises’ to distract the public from other, more pressing issues” (Farley et al., 2021, p. 164). In response, well-intentioned advocates turn to policy solutions to resolve the crises created by the rapid emergence of

anti-LGBTQ+ bills. However, some scholars describe these policy solutions as merely “policy distractions” or “a persistent focus on a narrowly defined set of policies or a constrained set of potential solutions to policy problems,” often arising in response to pressing crises (Farley et al., 2021, p. 168). In other words, these policies attempt to redress specific and narrow concerns emerging from manufactured crises intended to distract the public, at the expense of more comprehensive reform.

Despite good intentions, policy distractions often reify the oppressive systems they claim to oppose, narrowing focus to individualized issues instead of structural causes (Farley et al., 2021). For example, a mixed method study of caregivers of 69 transgender and nonbinary youth revealed that existing supportive school policies were highly individualistic and merely “the very basic first step” (p. 292), only scratching the surface of embedded gender-based inequalities at school (Farley & Leonardi, 2021). Although caregivers did rely on these school policies (e.g., bathroom access) as an explicit safeguard when faced with school-level threats, these policies did not address the prevailing culture of cisheteronormativity broadly (Farley & Leonardi, 2021).

Policy distractions often default to the most privileged within the group targeted, in this case, white LGBTQ+ youth (Farley et al., 2021). The overt focus on anti-bullying and anti-discrimination not only fails to support, but also often directly harms LGBTQ+ youth of color, illustrating the dangers of reactionary solutions (Hernández & Barcelos, 2023). Given the state-imposed efforts to dismantle existing supports, redoubling efforts that benefit all LGBTQ+ youth, not just white LGBTQ+ youth is perhaps more important than ever. As Hernández and Barcelos (2023) describe, “putting Band-Aids on bullet wounds is especially useless if a school is no longer allowed to have Band-Aids” (p. 96). When on defense against deeply repressive legislation, advocates must resist simple answers and instead attend to the multiple and overlapping forms of structural oppression and privilege impacting students’ lives while simultaneously obscuring these aims, lest they be accused of breaking the law. A difficult balancing act that may prove challenging, if not impossible.

Whether proposed anti-LGBTQ+ educational policies function to distract larger reform efforts or not, LGBTQ+ youth are nonetheless impacted (Mayo, 2021). What may have started as a single-issue diversionary tactic (e.g., bathroom access) has now morphed into an insidious attempt to systematically erase LGBTQ+ identities in schools (McQuillan et al., 2024). For example, Fowler and Mountz (2024) characterized Florida’s H.B. 1557 as an “exercise of ideology and power designed to silence, erase, and delegitimize identities and social groups deemed undesirable” (p. 35). Therefore, the importance of combatting anti-LGBTQ+ attacks with policy cannot be understated, as McQuillan et al. (2024) explained, “While policies alone can be symbolic and may not prevent the discrimination of LGBTQ+ youth, states and districts without policy protections for trans students may signal an openness to broader policy erasure” (p. 671). Policy protections, while limited, are essential to promoting safe, equitable, and inclusive educational experiences for LGBTQ+ students.

Given these tremendous stakes, anti-LGBTQ+ legislation simply cannot go unanswered or discounted as a distraction tactic. Policy reform, although imperfect, is an essential component of the necessary response. However, considerable attention must be given to the larger dilemma of how to both fight against systematic attempts at erasure while simultaneously undermining the unquestioned status quo of cisheteronormativity within these policy rebuttals. Rather than positioning the attack of LGBTQ+ student rights as an impetus for advocating for individualized and highly carceral approaches (e.g., zero-tolerance), efforts must be directed towards addressing the root cause: pervasive and unquestioned cisheteronormativity (Farley et al., 2021; Hernández & Barcelos, 2023).

Theoretical Foundation: Institutional Theory and Chilling Effects Theory

Two theories are particularly useful for understanding the impact of policies on schools: chilling effects theory and institutional theory. The concept of a “chilling effect” originates in legal studies and is best described as a phenomenon where individuals self-censor their words or actions to avoid perceived legal harm, even when the words and actions themselves are lawful (Penney, 2021). This chilling effect emerges from ambiguity and leads to overcompliance, as Penney (2021) explains “When laws are uncertain, people are likely to over-comply with the law – chilling lawful and even desirous behavior – due to being risk averse” (p. 1504). Early understandings of chilling effects focused exclusively on self-censorship to avoid *legal* consequences, but a more expansive chilling effects theory extends the theory to “people speaking, acting, or doing, in a way that conforms to, or is in compliance with, a perceived social norm” (Penney, 2021, p. 1455). This contemporary theory explains not only *inaction* or *avoidance*, but also *proactive* behavior influenced by social norms (Penney, 2021). In other words, both ceasing practices that might be construed as unlawful *and* adding in practices in compliance with repressive social norms are examples of chilling effects.

Analytically, institutional theory can also offer insight into the translation of policy into practice. Institutional theory seeks to “explain the functioning of organizations” (Jastram & Foersterling, 2024, p. 504). Since Meyer & Rowan’s (1977) seminal work, the concept of “institutional decoupling” has played a prominent role in institutional theory. Williams & Crimmins (2024) described institutional decoupling as “separations between formal policies and actual practices that occur when institutions adopt formal policies consistent with external regulatory bodies but which individuals within an institution do not follow” (p. 10). In other words, institutional decoupling is an *intentional* misalignment between policies and practices. Decoupling occurs when an organization must negotiate conflicting pressures, new directives are perceived as coercive or originate from external bodies that workers mistrust, and when workers disagree with the potential effectiveness of the directive (Boxenbaum & Jonsson, 2017).

Organizations who practice institutional decoupling will prioritize avoiding detection and risk (Boxenbaum & Jonsson, 2017) and therefore, if organizations experience increased scrutiny or oversight, a “recoupling” can occur, resulting in alignment between policies and practices (Hallett, 2010). Moreover, even without this threat of oversight, institutional decoupling may be a temporary solution, as what begins as only surface-level compliance will become embedded into the structure of the organization over time (Boxenbaum & Jonsson, 2017). In the context of education, “institutional decoupling” may also lead to teacher burnout and turn prospective teachers away from the profession, eventually increasing teacher shortages (Williams & Crimmins, 2024).

Prior Research on Anti-LGBTQ+ Legislation

Given the relative recency of anti-LGBTQ+ educational policy legislation, there is a tremendous dearth of research on this legislation. Certainly, there has been extensive discussion in the law literature on the legality of these bills (e.g., Cassaro, 2024) and content analysis and other similar methodologies have been utilized to unpack the legislation and impacted educational policies and practices (Fowler & Mountz, 2024; Hornbeck, 2023; McQuillan et al., 2024; Williams & Crimmins, 2024). Although critical contributions to the research, these analyses do not include the voices of those most impacted—school stakeholders.

There are much fewer peer-reviewed studies focusing on the narratives and perspectives of stakeholders directly. The majority of the qualitative research in the area has revolved around the impact of the law on LGBTQ+ parents and caregivers in Florida (Goldberg & Abreu, 2024; Goldberg, Abreu, et al., 2024; Goldberg, Toomey, et al., 2024), ultimately finding that LGBTQ+

parents were anxious about the impact of the law on their families and had even considered relocating their family as a response. Another promising study with close relevance to this inquiry examined educators in Ohio's anticipated impact of a proposed anti-LGBTQ+ bill, finding that the vast majority of educators were concerned that the passage of the law would negatively impact their students (King, 2024). However, likely due to the newness of the law, the perceived impact of anti-LGBTQ+ legislation remains largely under-researched qualitatively, including in Louisiana. Further, few studies have examined the perspectives of school professionals in charter schools specifically. This inquiry contributes to a pressing gap in the research by describing how school professionals perceive and respond to proposed anti-LGBTQ+ educational policies.

Methods

This research emerged from a larger critical ethnography examining the culture and context of gender in schools (Knipp, 2024). Critical ethnography seeks to understand and describe a culture, firmly contextualized within systems of power and privilege (Carspecken, 1996). In educational research specifically, critical ethnography “connects with the messy realities of people’s lives, and it engages directly, and in depth, with complex and often-contested educational contexts, communities, and challenges” (Fitzpatrick & May, 2022, p. 8). Better described as an “overarching philosophical framework that sets the broad direction for research” (p. 2) rather than a specific, step-by-step method, critical ethnography requires attention to power, strong theoretical grounding, curiosity, researcher reflexivity, centering relationships, spending time, an understanding of context, writing and fieldwork, and an emphasis on change (Fitzpatrick & May, 2022).

Although this research centered these important tenets, this specific inquiry focused less on understanding culture broadly, but instead narrowed in on the “who, what, and where of events or experiences, or their basic nature and shape,” an approach more typical of qualitative description (Sandelowski, 2000, p. 338). Qualitative description involves a low-inference, minimal interpretation description of qualitative data that accurately portrays the perceptions and experiences of participants (Sandelowski, 2000). Although qualitative description is widely utilized, it is often contorted and inaccurately presented as a qualitative methodology considered more rigorous (e.g., ethnography, phenomenology), overlooking the value of qualitative description as its own form of research (Sandelowski, 2000). However, qualitative description studies often have “hues, tones, and textures” of other research approaches (Sandelowski, 2000, p. 337). Given this inquiry focuses on both describing the experiences of participants during a precise political moment paired with the critical focus on power, context, and complexity within the educational system, this study is most accurately described as a qualitative description study with hues or tones of critical ethnography (Sandelowski, 2000).

Educational Landscape

Indebted to critical ethnography, understanding the culture of focus (in this case, the culture of gender in New Orleans schools), requires deep and meaningful attention towards the “social systems” or the macro-level social forces impacting the daily lives of school stakeholders (Carspecken, 1996, p. 36). As study participants worked in public charter schools in New Orleans during a time of heightened anti-LGBTQ+ policy reform efforts, contextualizing the educational policy landscape of the region is warranted. At the city-level, after Hurricane Katrina in 2005, the public school system was systematically transformed from a traditional public school system into a public charter system emphasizing school choice (Goff, 2009). This shift resulted in massive decentralization, reduced school-level oversight, and frequent changes in school governance (Buras & Urban South Grassroots Research Collective, 2013). Families may have “choice” in where to send

their children to school; however, making these choices requires a high-level of knowledge about the rapidly evolving educational landscape in the region (Goff, 2009). Within this unique model, schools must differentiate themselves from others and market themselves to prospective families and some schools have emphasized their valuation of diversity as part of this effort (Knipp & Stevenson, 2022).

At the state-level, in Louisiana, only two state-level educational laws pertained to sexual orientation in schools until very recently. The first, Instruction in Sex Education (1993) stipulated that parents and caregivers must have the option to excuse their children from sex education courses in school and further, that these courses must not use “sexually explicit materials” related to “male or female homosexual activity.” The second, the Parents’ Bill of Rights for Public Schools (2018) required that parents and caregivers have the option to excuse their children from surveys on the “sexual experiences or attractions” of their children. Beyond these two opt-out laws, gender identity and sexual orientation issues in education were not addressed at the state-level.

In March 2023, however, two more educational bills were proposed. The first created major barriers for schools in correctly gendering their students while simultaneously permitting school staff members to continue to misgender students against the signed and written request of the student’s caregivers (Given Name Act, 2023). The second banned schools from instructing on or even discussing sexual orientation or gender identity, explicitly including the sexual orientation or gender identity of school staff members themselves (H.B. 466, 2023). These proposed laws passed the House and Senate but were vetoed by the former governor several months later. Unfortunately, during the 2024 legislative session, a new governor was voted into office and new versions of these previously rejected bills were proposed and passed and officially went into effect in August of 2024 (Given Name Act, 2024; H.B. 122, 2024).

To fully understand the study results, it is essential to specifically isolate the precise timing of the interviews. The study itself took place in 2023, with all participant interviews occurring between February and September. Half of the school professional participants were interviewed in the period after the initial proposal of the 2023 bills and prior to the eventual governor veto. In other words, during half of the interviews, the outcome of these proposed bills remained uncertain, and the issue was receiving substantial attention in the local media. All four participants interviewed during this liminal period discussed the proposed legislation, without interviewer prompting. By contrast, the other half of the school professional participants were interviewed in the months following the veto, after it was firmly established that the 2023 bills were not going to be enacted this term. Only two of these participants discussed anti-LGBTQ+ legislation either in Louisiana or in the country more broadly. As the 2023 bills passed both the House and Senate and were only blocked by a Democratic governor up for re-election in a majority Republican state, there was speculation locally that these bills could return in 2024 under a new governor. Indeed, the bills were revived and passed without issue under a new Republican governor in 2024, however, no participants were interviewed during the 2024 legislative session. Thus, the proposed anti-LGBTQ+ educational policies were merely a possibility, but not yet a reality, during all interviews.

Critical Reflexivity

Critical ethnography requires researchers to engage in an ongoing practice of critical reflexivity as a central component to the research (Fitzpatrick & May, 2022). Fitzpatrick and May (2022) describe critical reflexivity as “one tool we can employ . . . to consider how we are positioned in the research in ways that are complicit with, and reinforcing of, existing hierarchies of power” (p. 79). This practice of critical reflexivity is necessary throughout the research process – from research design to results reporting. Positionality statements in published research are one outcome of this

ongoing reflexivity, or as Boveda and Annamma (2023) explained, a positionality statement is “what researchers may articulate in a statement when they reflect on what they negotiated” (p. 307).

During this project, I negotiated how my own professional and personal background shaped the research process. Professionally, I spent seven years working as an early elementary educator and then later a school social worker in New Orleans public charter schools. Although my professional background afforded me both access and credibility with my research participants, I also had to critically interrogate my research design and analysis to consider how my own experiences could be impacting the study. Further, as a cisgender and heterosexual white woman, I have a deep personal familiarity with the many manifestations of misogyny in the school system, yet my understandings of racism, homophobia, and transphobia are primarily secondhand or theoretical, filtered and distorted through my lenses of privilege.

I used several analytical tools through the research process to help consider how my work might reify existing power hierarchies including ongoing reflective journaling and consultation with colleagues and mentors. Further, I frequently sought guidance from my community advisory board (CAB), which was composed of a diverse subgroup of people including a recent graduate of the local public school system, a parent of a gender diverse child attending a local public school, and a representative from a local youth nonprofit. The CAB members offered various lenses to the study design and implementation. Although these steps were critical to addressing some of the limitations of my own positionality, my influence as the researcher on the study findings can never be fully removed.

Study Recruitment

To participate in the study, participants had to be currently or recently employed at a public charter school in Orleans Parish. Seven participants were currently employed in the parish at the time of their interview and the remaining participant was previously employed, having left to work in a neighboring parish three months prior to her interview. Participants were recruited through snowball sampling and word of mouth. In addition, every designated Title IX coordinator in the district ($n=53$) was contacted via email and invited to participate, although only two consented to participate (3.77%). No participants who inquired about enrolling were turned away. The study was advertised as a study on the “culture of gender” in New Orleans schools and participants received a \$20 gift card as remuneration.

Study Participants

School professional participants were primarily cisgender females ($n=6$, 75.00%), with only one nonbinary participant (12.50%) and one male participant (12.50%). Most participants identified as white ($n=6$, 75.00%), with the remainder identifying as Black ($n=1$, 12.50%) and Black and Latina ($n=1$, 12.50%). Although LGBTQ+ school professionals were not explicitly targeted during recruitment, most participants did identify as LGBTQ+ ($n=6$, 75.00%), perhaps as a response to the heightened attention on LGBTQ+ issues in schools at the time of the study. Five of the participants were teachers (62.50%) and the rest served in various administrative roles ($n=3$, 37.50%). Three participants worked in high schools (37.50%) and the remainder worked in elementary schools ($n=5$, 62.50%). Two participants (25.00%) also served as Title IX coordinators in addition to their primary role in school. On average, participants had worked in education for 11 years ($SD=8.83$), with experience ranging from 2 to 27 years.

Data Collection

This study was approved by the Tulane University IRB (Study # 2022-1500). Professional participants were given the option to be interviewed in-person or virtually over Zoom and all

participants selected virtually. I conducted all interviews between February and September of 2023 and followed a semi-structured interview guide utilizing broad and nondirective questions, characteristic of qualitative description (Sandelowski, 2000), including questions such as: *What are some common difficulties and challenges you encounter at school? What has come up lately related to gender at your school? How have things changed related to gender since you started working in schools?* Interviews lasted between 52 to 86 minutes. Interviews ended when participants no longer had new information to share. Interviews were recorded, with the consent of participants, and transcribed verbatim, with additional notes on body language and nonverbal communication also noted from the video recording. After transcription, original recordings were deleted. Participants were given a pseudonym created with a random name generator and identifying information was removed. Through reflective journaling, consultation with peers and mentors, and consultation with the CAB, a decision was collectively made to end the study at eight professional participants as deep immersion and a strong contextual understanding into the culture and context of the study site had been reached.

Data Analysis

Interview transcripts were read multiple times to promote data immersion and field journaling was utilized after every interview and throughout data analysis to make sense of emerging themes. Using a thematic coding approach (Braun & Clarke, 2006), every transcript underwent at least three rounds of coding using NVivo software resulting in the emergence of 18 major themes. Although only a single coder was utilized in this iterative coding process due to a shortage of resources, the study author consulted with peers, met with the CAB, and practiced reflexivity in field journals to inform the development of the major themes. A brief but comprehensive summary of study findings was developed using jargon-free language with a description of each theme and example quotations.

Member checks are a key validity requirement of critical ethnography and described as an important way to counter inherent power imbalances in research (Carspecken, 1996). Moreover, qualitative description seeks to establish “*interpretive validity*, or an accurate accounting of the meanings participants attributed to those [described] events that those participants would agree is accurate (Sandelowski, 2000, p. 336, emphasis added) and therefore, requires verifying study findings with the participants themselves. Thus, in accordance with the tenets of both critical ethnography and qualitative description, summary findings were distributed to all study participants and participants were given the chance to give feedback as a member-check. Although many participants commented on the accuracy and validity of the findings, no revisions were requested.

This inquiry focuses analysis on one major theme that emerged: Contemporary Issues in Education (147 references across 25 interviews) and several associated subthemes including Pending Anti-LGBTQ+ Legislation (12 references across 8 interviews) and Parental Rights (11 references across 7 interviews). Consistent with data reporting expectations in qualitative description, the results that follow aim to “offer a comprehensive summary of an event in the everyday terms of those events” (p. 336), staying “close” to the data by avoiding excessive commentary and interpretation from the researcher (Sandelowski, 2000).

Results

Parental rights and the pending anti-LGBTQ+ legislation emerged as a major topic of conversation during the interviews, with nearly every professional participant referencing the subject ($n=6$) during the interview. Participants described how they were already navigating parental rights in schools broadly, including related to classroom discussions on sexual orientation and gender identity specifically. Some participants expressed worry about the possibility of anti-LGBTQ+ legislation

passing in their state in the future. However, despite this fear, participants also shared their plans to continue to support students in school even if the proposed legislation went into effect at the state-level. Table 1 includes a brief demographic description of the quoted participants and contextual information about their school.

Table 1*Participant and School Profiles*

| Participant | Participant Description | School Description |
|----------------|--|---|
| Principal Cook | Principal Cook was a White, female school principal and Title IX coordinator with over 25 years of experience in education. She was in her late 40s with an advanced degree. | “B” rated school Grades: K-8 More than half of the student body were “economically disadvantaged” Approximately 3/4 of the student body were students of color |
| Ms. Jones | Ms. Jones was a White, female teacher with 5 years of teaching experience. She interchangeably described herself as queer or gay. | “C” rated school Grades: PK-8 More than half of the student body were “economically disadvantaged” Approximately 2/3 of the student body were students of color |
| Ms. Jenkins | Ms. Jenkins was a White, female teacher with less than 10 years of teaching experience. She was in her early 30s and described herself as queer. | “C” rated school Grades: PK-8 More than 90% of the student body were “economically disadvantaged” More than 95% of the student body were students of color |
| Ms. Sullivan | Ms. Sullivan was a White, female school counselor with less than 10 years of experience in education. She was in her early 30s with a graduate degree. | “C” rated school Grades: PK-8 More than half of the student body were “economically disadvantaged” Approximately 2/3 of the student body were students of color |
| Teacher Ward | Teacher Ward was a White, nonbinary teacher with 10 years of teaching experience. They were in their early 30s with a graduate degree. | “C” rated school Grades: 9-12 More than 80% of the student body were “economically disadvantaged” More than 95% of the student body were students of color |
| Mr. Powell | Mr. Powell was a White, male school administrator and Title IX coordinator with over 20 years of experience in education. He described himself as a gay man. | “A” rated school with selective admissions process Grades: 9-12 Less than 50% of the student body were “economically disadvantaged” Less than 50% of the student body were students of color |

Navigating Parental Rights: “As a teacher, it kind of puts you in a...tough position”

The discourse of parental rights has become nearly synonymous with legislative efforts to curtail discussions of gender identity and sexual orientation in school in recent years. However, as Principal Cook pointed out, schools have navigated the issue of parental rights on a wide variety of topics in school for much longer. She explained:

I have parents object [to classroom curriculum]. That’s . . . nothing new. Like teachers and principals, we’ve been doing that for years. I [assigned a] book where a kid was ADHD, and like, the parent didn’t like it. So, like, the kid, like, read a different novel in the library. Like, big deal. The rest of the class is going to read the book. Right?

Offering alternatives to the classroom curriculum to respect and align to the values of families has always been a standard practice at Principal Cook’s school. However, her school did not outright ban discussions of issues that might entail diversity in family values, as required by the proposed anti-LGBTQ+ legislative efforts (e.g., H.B. 466, 2023) but instead made individual accommodations on a case-by-case basis. She continued:

Can a parent say, ‘My child may not select that book?’ Absolutely. But it doesn’t mean someone else’s parent can’t say, ‘I *want* my kid to read that book,’ right? Because, like, parents’ rights actually mean every parent, not just some, right?

Rather than removing content from the classroom that individual parents flagged as inconsistent with their morals or values, Principal Cook utilized replacement assignments as an appropriate solution that both respected individual parental rights to limit exposure to specific content while still preserving the rights of other families to access the same materials unimpeded.

Parental rights also arose in the context of sexual orientation and gender identity specifically. Ms. Jones described how parents responded to a lesson she taught during LGBTQ+ History Month. She shared:

I did make a slide presentation for LGBT . . . History Month, and I did get a lot of push-back from parents, parents were really upset with me . . . I had to, like, field a lot of negative phone calls.

Under Louisiana law at the time of the lesson, parents and guardians were required to be given the option to opt-out of sexual health courses and there was also a ban on using “sexually explicit materials depicting male or female homosexual activity” within sexual health curricula (Instruction in Sex Education, 1993; Parents’ Bill of Rights for Public Schools, 2018). However, as a history lesson (not a sexual health lesson) that depicted no “male or female homosexual activity”, this lesson did not violate the law. Ms. Jones recalled speaking with a parent who disagreed, perceiving this lesson as a violation of state law due to the failure to obtain parental permission to teach the content:

This parent basically said they weren’t comfortable with me teaching sexuality in class . . . [and] I was like, “Can you elaborate more about . . . what aspects of this make you uncomfortable?” . . . I just put it on them because I was just, like, you know, “I want you to think about why this makes you uncomfortable.” . . . And that was pretty much the end of that conversation, um, because I didn’t really want to have to explain to this person their homophobia.

Ms. Jones ultimately referred the parent to the school leader who had previously approved the lesson and supported the teacher’s decision to include the content in the lesson plans. Nonetheless,

Ms. Jones, who described herself interchangeably as either queer or gay, was forced to navigate what she perceived as explicit “homophobia” from a parent under the guise of parental rights.

Beyond the formal curriculum, teachers also described navigating parental rights in informal conversations with students. Ms. Jenkins, who also identified as queer, described this dynamic, explaining, “Supporting kids ... who are grappling with their identity ... in the face of family and community stigma As a teacher, it kind of puts you in a...tough position.” She gave of an example of being put in this “tough position” by describing her response when a male student, who later openly identified as queer, was upset after peers were teasing him by saying that he had a crush on another male student. Ms. Jenkins shared,

I said something like ... “Who cares if you like him? You can like whoever you want.” Something that ... was, like, very basic ... but I remember ... that was like ... kind of amazing to him, I think, in a certain way that he was like, “Wait, you’re telling me that that’s okay?” That meant a lot to me because I do think that student was one whose family struggled a lot with their identity.

However, Ms. Jenkins was aware that these comments may not have aligned to the messages this student received at home. She explained:

It sort of also brings up the confusion ... because you never want to tell, like, a kid that their family is wrong about things, you know? But ... in terms of that [disapproval of queer individuals], it’s like, well, they’re wrong.

Although Ms. Jenkins perceived her comments as affirming for her student, she also grappled with the discomfort and complexity of directly contradicting messages taught at home.

Perhaps due to stories like these, schools did not always outwardly promote and advertise curriculum and events related to LGBTQ+ issues in school. Ms. Sullivan, a school counselor, described a teacher-led activity in an elementary classroom that allowed students to optionally share their pronouns with their classmates. Although Ms. Sullivan was employed at the same school where Ms. Jones taught the LGBTQ+ History Lesson described earlier, this activity did not result in parent complaints. She explained:

I didn’t hear any pushback about it [the pronoun sharing activity], um, and neither did the teacher. Um, I also don’t know that we necessarily, like, advertised it was a thing. Like, I don’t...to be honest, I don’t know if we, like, sent a letter home to be like, “By the way, this is what’s happening in class.” I think we just kind of did it ... and just hoped nobody would say anything. And no one did.

However, unlike Ms. Jones’ history lesson, which was taught over a video-conferencing platform during the pandemic and was highly visible to parents, this activity was facilitated in the physical classroom space and was not as outwardly visible to the parent community. Despite both these lessons happening at a school that intentionally marketed itself as diverse and inclusive, Ms. Sullivan believed that if a subset of parents had been aware of the activity, complaints likely would have arisen. She explained:

I think we [the school] like to act like we come from a community of very, like, open-minded people because we’re at this diverse school. But I think the reality is we know that’s not 100% the truth ... we have people ... who say they are ... open-minded individuals, but we know deep down there actually are still ... things to be worked through. And so there would definitely be pushback [to the pronoun sharing activity].

Although this activity did not require parent permission by law at the time it was enacted, the school was aware of the diverse range of beliefs within the school parent community and school staff members anticipated that a subset of parents would likely disapprove.

Whether these activities were advertised or not, school staff members observed that many parents were simply not involved enough in the day-to-day functioning of the school to assert their parental rights in opposition to curricular content that they perceived as objectionable. Principal Cook observed an absence of parent complaints regarding the school's intentional inclusion of individuals who used singular they/them pronouns within ongoing grammar lessons. She described, "Not one parent complained [about the grammar lesson], probably because they didn't really notice or read their kids work." Despite the inclusion being clearly displayed on student written work that was sent home, Principal Cook doubted parents noticed the content. She continued:

I can barely get parents to a conference! They're all of a sudden concerned [about the curriculum content]? They have no idea what's going on [in school]. I wish! I wish they knew what we were doing, all of them, every day.

Principal Cook's school made no attempts to hide their inclusion of diverse pronoun usage within their grammar lessons, yet, from the perception of Principal Cook, general apathy from parents about school curricular content broadly resulted in a lack of complaints.

As shown, schools occasionally broached the topics of sexual orientation and gender identity in the classroom setting, including through history lessons, grammar lessons, and pronoun-sharing activities. Even prior to the passage of explicit bans on this type of content (Given Name Act, 2024; H.B. 122, 2024), school staff anticipated some parents would object on the grounds of their parental rights as a response to these lessons. However, parent complaints occurred more often in lessons that were highly visible to the parent community and in many cases, curricular inclusion on these topics went unnoticed and unchallenged by parents.

Fear for the Future: "I have a lot of fear around that"

Although the proposed legislation had not yet been enacted into law in Louisiana at the time of the interviews, school staff members were anticipating and preparing for possible changes in the future. Teacher Ward, a nonbinary teacher, described current efforts made by their school to allow students to express their gender identity and sexuality. They shared:

We [the school] really encourage students to show up as themselves, to use their preferred pronouns, to express themselves through their gender identity in whatever way they, you know, feel comfortable with. Last year, we had an openly trans student ... [lead] a Trans [educational] event where we had several different ... seminars or little workshops about different, like, LGBTQIA+ kind of issues and themes We have students who are openly expressing, um, gender-nonconforming identities and openly expressing, you know, sexualities that are not in the heteronormative framework.

However, under the proposed legislation at the time (H.B. 466, 2023), open discussions and educational events about sexuality and gender identity such as these would be explicitly barred in schools. Referencing the proposed legislation, Teacher Ward underscored the importance of showing support to the students whose identities were most targeted. They shared:

I think that a lot of us [staff members] at [my school] understand that, in this moment, in this political moment in our country, it's really important to be committed to supporting and uplifting our young people to show up exactly as, as who they are, because in many other spaces that is not provided to young people.

With an uncertain future ahead, this teacher and their school was committed to cultivating a space where LGBTQ+ students could be themselves openly.

School staff members were not only aware of the proposed legislation, but also communicated feelings of fear and anxiety for both themselves and their students. Ms. Jones described her feelings, explaining, “It feels like, like, as a gay teacher, you know, like, with the [proposed] legislation . . . it just makes me want to leave teaching.” Perceiving herself as an explicit target under the proposed legislation due to her sexuality, Ms. Jones wanted to quit the profession but also worried about the consequences of making this decision. She continued, “But I also am like, ‘I can’t leave because who will take care of these little babies who are being treated like this?’ You know?” Ms. Jones feared that if she quit, her students would be left without supportive allies and so she stayed, despite viewing herself as a direct target of legislation as a gay teacher. Without policies in place requiring protection for LGBTQ+ students, leaving teaching would only leave her students further exposed. She explained:

We need to have policy because when I leave [teaching], I want to know that there is a policy that remains, that protects them, so that, like, it isn’t in the hands of the gay teachers at school or in the hands of the allies who . . . know to look out. You know? And I have, I have a lot of fear around that [LGBTQ+ students being left unprotected].

Not only were LGBTQ+ teachers like Ms. Jones instrumental in providing support for LGBTQ+ students, but many were also doing so without explicit school-level policy protections in place while simultaneously coping with the emotional toll of being personally targeted under the proposed legislation.

The fear of the legislation also manifested itself at the school-level. Mr. Powell, a school administrator, described how his school, which he perceived as a regional leader in gender inclusivity given their early adoption of gender inclusive restrooms, was already beginning to think more strategically about their outward communication regarding their internal practices. He explained:

We have transgender restrooms on campus right now. We’ve had them for 10 years maybe, maybe longer than that. I think we were probably first in, not just Louisiana, but probably the first in the country, as to finding a safe space for those students. Um, but now all that’s up in the air [with the proposed legislation], and now we’re going to have to be really careful about how we communicate anything with the public with the bills that are in front of the legislature right now.

Once at the forefront of gender inclusivity issues, Mr. Powell feared that his school could be forced to change their policies in light of the proposed legislation and therefore, the school was considering exercising greater caution in their public messaging.

Although at the time of the interviews, the proposed legislation had not been enacted into law, simply bearing the knowledge that the legislation could become law left school staff members grappling with worry for the future. This worry manifested itself across multiple levels. Many participants emphasized the need for schools to support LGBTQ+ students and worried the legislation would threaten the ability of schools to cultivate welcoming spaces. For those school staff members who identified as LGBTQ+, perceptions of personal persecution were also reported. Finally, participants worried that their current supportive school policies and practices could be undone under the proposed laws.

Plans to Resist: “Come and get me”

Despite pragmatic anxieties about the future, school professionals communicated their intention to continue to support students, particularly LGBTQ+ students, through discretion, loopholes, and even refusal. Ms. Jones, a co-sponsor of her school’s Gender and Sexuality Alliance, pledged to continue to hold this space for LGBTQ+ students, even if the club had to operate more discretely. She explained, “I’ll just change the [gender and sexuality alliance] club’s name to Knitting Club if any of these [anti-LGBTQ+] bills get passed . . . and that’s what we’ll be. We will be the Knitting Club.” She continued to brainstorm the alternative club names her group could continue to operate under:

Honestly . . . you could call it Anime Club, you could literally call it Doodle Club, and like, all of those titles would still match. You know what I’m saying? Queer people are just people who do things that everyone else does.

Ms. Jones refused to reduce her LGBTQ+ students to solely their perceived otherness (their sexuality and gender identity), but instead, emphasized the diversity and wide breadth of interests held by her students as a way to honor and highlight their shared humanity, a humanity that she perceived as currently under attack.

Mr. Powell endorsed a similar approach. He described his intention to find alternative solutions for meeting the needs of LGBTQ+ students while also staying firmly within the limits of the law. He explained:

And if it [anti-LGBTQ+ legislation] says XYZ, maybe we call it, you know, QRT, you know, trying to find a loophole around what that is. And I’m not trying to be sneaky by any means We’re just trying to service our clients, which are our students.

Positioning the needs of his students as superior to the demands of the proposed legislation, Mr. Powell intended to closely examine the wording of the legislation to identify loopholes that could circumvent the spirit of the law without breaking the letter of the law. However, despite these intentions, Mr. Powell also acknowledged the precarious position of his school:

Even though . . . we [the school] have a lot of autonomy with who we are and what we are, we’re still a state agency, which means we have to abide by the state regulations. Um, that also creates a, a unique twist.

From the perspective of Mr. Powell, the school’s autonomy could certainly be challenged by the passage of state legislation and navigating these issues would not be straightforward or simple.

In contrast, not all school professionals described their intention to change or alter their current practices at all. Principal Cook described her personal disagreement with the proposed legislation, coupled with doubts that the legislation could be enforced. She explained:

I-I-I don’t like the [proposed legislation]. I mean, I don’t want it to go on [into effect]. I mean I think they’re [the legislators are], like, fascists. I mean, that’s my personal opinion. But like, I’m not overly concerned that they’re going to send in, you know, the brown shirts to every school to like watch . . . how’s it even possible?

Despite evoking the disturbing image of Nazi Germany in her reference to the “brown shirts”, as a long-time educator, Principal Cook was confident that the state would not actually enforce the proposed laws. In partial jest, she challenged legislators to even try, sharing, “I’ve been in education a long time. They’re [legislators are] always passing laws. They have no money to enforce anything.

What are they going to do, audit me? They can't even show up. Like ... come and get me!" Despite the enthusiasm of Principal Cook's hypothetical challenge, she undercut some of her own confidence in state inaction when she simultaneously communicated her intention to avoid drawing attention to herself and her school. She explained:

I don't need to fly a rainbow flag. I have a statement on every document that I have that says gender is included [in our nondiscrimination policy] I don't need to draw attention to myself so I get shut down. I'm not trying to evade anything, but I'm also not shying away from who [we are as a school] ... and what we do.

On the one hand, Principal Cook vowed to disregard what she viewed as unenforceable legislation that was incompatible with the mission of the school to serve the needs of all students, but on the other hand, she also acknowledged the dangers of being too brazen in this noncompliance.

During this uncertain time, when the threat of anti-LGBTQ+ legislation loomed, but was not yet enacted, school professionals reflected on how they could continue to meet the needs of LGBTQ+ students without facing legal consequences. Techniques were varied, ranging from changing the name of a club to continuing business as usual. However, the overall goal remained consistent across schools: providing support for LGBTQ+ students despite legislative barriers.

Discussion

Across the board, participants vocalized their desire to support and affirm LGBTQ+ students and given the positive outcomes associated with access to supportive adults, including reduced suicide risk (Gorse, 2020), the importance of these affirming relationships for LGBTQ+ youth cannot be understated. However, participants were not ignorant of the challenges they may face in attempting to uphold this support and were proactively considering how to adapt to the changing political environment. These findings can be understood more clearly through the lens of parents' rights, institutional decoupling, and chilling effects.

Parents' Rights

Participants positioned providing unwavering support to LGBTQ+ youth in the face of overtly hostile legislation as a top priority, at times even indicating a willingness to prioritize student needs over parental rights, consistent with recommendations from the literature (Chiang & Killian, 2024). Indeed, Mr. Powell's explicit naming of *students* as "our clients" stands in stark opposition to the increased centering of parents in educational policy (Hornbeck, 2023). Consistent with this intention to provide support, schools were actively making efforts to destabilize the dominance of cisheteronormativity in their lessons. However, in many ways this content went largely undetected by the parent community. Educators knew a subset of parents would oppose this curriculum and did not want to draw attention, perhaps also contributing to their decision to refrain from outwardly advertising the lessons. On the other hand, intentional parental communication on including singular they/them pronoun usage within a grammar lesson or teaching about LGBTQ+ historical figures, in fact, only reinforces cisheteronormativity in that it would position this content as unusual or atypical. Therefore, additional layers of parent communication for this type of lesson would not only be unnecessary, but also inappropriate. Instead, this content was visible and fully accessible to parents without being treated differently than any other curricular content.

Despite fear-mongering discourse around educators indiscriminately indoctrinating students, educators did not seek out opportunities to contradict or undermine family values. Ms. Jenkins' reticence in discussing same-sex crushes with a student being teased in school illustrated her deep internal conflict around providing the student necessary support while also attempting to respect

family values- even when those values delegitimized her experience as someone who identified as queer herself. Engaging with parents on these issues forced educators to field homophobic comments, a confrontation that many wished to avoid. Further, schools were already making efforts to accommodate family values through assignment accommodations. However, these accommodations were individualized, not universalized, as educators also realized the importance of honoring the rights of parents who *wanted* their children exposed to diverse perspectives. Indeed, participants were well-aware of the narrow focus on a subset of religious parents within the self-proclaimed parents' rights movement (Mayo, 2021) and sought to consider the rights of all parents when making decisions. Educators were not blatantly infringing on parents' rights, but instead conceptualizing parents' rights to include the entire parent community and with dual consideration for the needs of students.

Institutional Decoupling

The explicit declarations of participants to use discretion, find loopholes, or simply refuse to comply with enacted legislation indicates that “institutional decoupling” or marked and intentional inconsistency between written policies and school actions, would likely characterize the school landscape after the passage of anti-LGBTQ+ legislation in Louisiana (Williams & Crimmins, 2024). Although institutional decoupling has been theorized as an adaptive response within the institutional theory literature (Meyer & Rowan, 1977), drawbacks remain. As the executive branch confirms and legitimizes the power of newly enacted Louisiana policies such as the Given Name Act (2024) and H.B. 122 (2024) through divisive and inflammatory executive orders (Exec. Order No. 14168, 2025), schools may begin to “recouple” their policies and practices in response to increased oversight (Hallett, 2010). Thus, school-level practices may begin to mirror the newly enacted policies.

Further, institutional decoupling only offers a temporary solution (Boxenbaum & Jonsson, 2017). For example, Ms. Jones' suggestion of supporting LGBTQ+ students within the innocuously named Knitting Club may provide essential temporary support to students in the here and now. However, institutional theory argues that over time, surface-level compliance becomes ingrained (Boxenbaum & Jonsson, 2017). In other words, the Knitting Club will eventually revert into an actual club for students who knit rather than a space for LGBTQ+ youth. Removing references to sexual orientation and gender identity from the name and written materials may not change the function of the club in the short-term, but long-term, the unwritten can become lost and erased.

Finally, as Williams and Crimmins (2024) forewarn, institutional decoupling could lead to teacher burnout and a diminished workforce, bringing a somber urgency to Ms. Jones' confession of her growing desire to leave teaching. As a role model, student advocate, and sponsor of her school's Gender and Sexuality Alliance, a mass exodus of educators like Ms. Jones would be a major loss and raises serious concerns in light of increasing anti-LGBTQ+ legislation around the nation.

Chilling Effects

Under ambiguously worded legislation barring discussions of gender identity and sexuality (H.B. 122, 2024), it is unclear the extent that the proactive and inclusive lessons described by participants in this study (e.g., LGBTQ+ history lessons, inclusive grammar lessons) would be compliant under the new laws. Ambiguity and uncertainty breed chilling effects, indicating that educators may err on the side of compliance or even overcompliance now that these laws are in effect (Penney, 2021). Further, the power of chilling effects and subsequent impact on compliance only increases when legislation is perceived as more personalized and targeted (Penney, 2021). At the time of the study, Principal Cook was skeptical that the “brown shirts” would come after her school; however, her level of fear may likely increase as the Trump administration escalates and follows

through with their threats (Exec. Order No. 14151, 2025; Exec. Order No. 14168, 2025; Trainor, 2025).

In addition, many of the participants in this study expressed a willingness to comply (minimally) with the letter of the law to avoid detection and litigation, despite personally disagreeing with the law itself. Chilling effects theory posits that when people comply even when they “do not necessarily believe or accept [the new norm] as proper or moral” (Penney, 2021, p. 1520), these norms nonetheless will be passed down to future generations and become further embedded into society. Therefore, when schools make the choice to censor discussions of sexual orientation and gender identity despite personally or collectively disagreeing with this censorship, the treatment of sexual and gender diversity as taboo or forbidden only becomes further ingrained in future generations. Even if these laws are overturned in the courts or by new administration, the full impact of these chilling effects may impact future generations.

Implications

As institutional theory and chilling effects theory demonstrates, complying with repressive laws and regulations, even only partially and halfheartedly, will almost certainly have negative and lasting impacts on schools. However, educators who refuse to comply may lose their jobs and the loss of these strong advocates will also certainly negatively impact schools. Given the drawbacks of reactionary policy solutions (Farley et al., 2021; Hernández & Barcelos, 2023) and as a critical ethnographer, I am highly reticent to suggest specific policy solutions to complex and multi-faceted challenges such as these. Indeed, as Fitzpatrick and May (2022) posit, recommending changes should be “approached slowly, seriously, selectively, collaboratively” (p. 35) and instead, researchers should embrace the notion that their work might result in more questions than answers. Thus, I cannot present a blanket recommendation on how schools should respond, but instead I can suggest that educators reflect on their own unique contexts and take time to consider the possible short-term and long-term consequences of the actions they take (or do not take) in reaction to repressive educational legislation. Most importantly, educators must continue to provide support for LGBTQ+ students, although how this support manifests will not be uniform across contexts. Further, advocates must work to repeal currently enacted anti-LGBTQ+ law and prevent the passage of further repressive policies and researchers must continue to document and report on the impacts of this legislation.

Limitations and Future Research

As with any study, this research has many limitations. As the research question emerged post-hoc and was initiated by study participants themselves, the issue of anti-LGBTQ+ educational legislation is certainly underexplored within this inquiry and future studies should begin with this research question at the forefront. Moreover, most study participants identified as LGBTQ+ themselves, which certainly influenced the study findings. For a more robust understanding of how anti-LGBTQ+ policies impact school professionals more broadly, perspectives from educators both inside and outside of the LGBTQ+ community should be sought in the future. Although the small sample size was beneficial for accessing in-depth perspectives and appropriate for qualitative research, future studies could also approach this topic quantitatively to produce generalizable findings and elicit perspectives from a more heterogeneous group of educators. Finally, and perhaps most centrally, this inquiry was conducted prior to the passage of two highly impactful anti-LGBTQ+ educational bills in Louisiana and although many participants described how they *intended* to respond, future research must examine the *actual* responses employed by school staff now that these laws have been codified. Including observational components in these future studies may be useful for distinguishing between what school staff members report versus their actual behavior.

Summary

Despite these limitations, these findings contribute to a growing and relevant body of research examining how anti-LGBTQ+ educational policy impacts school stakeholders. Although this study was conducted prior to the enactment of two anti-LGBTQ+ bills in Louisiana, results illuminated how the discourse of parents' rights may undermine supports for LGBTQ+ youth and result in a chilling effect in the school system. Promisingly, participants expressed a willingness to work around or outright refuse to comply with the proposed legislation, resulting in institutional decoupling. However, this institutional decoupling may be a temporary solution and could come at a steep price of a burnt out and dwindling workforce. Although policy reform alone is unlikely to foster a more inclusive school environment for LGBTQ+ youth, this study nonetheless underscores the importance of fighting against both existing and proposed anti-LGBTQ+ educational legislation and finding ways to support school stakeholders and specifically LGBTQ+ students in the here and now.

References

- Abreu, R. L., Audette, L., Mitchell, Y., Simpson, I., Ward, J., Ackerman, L., Gonzalez, K. A., & Washington, K. (2022). LGBTQ student experiences in schools from 2009–2019: A systematic review of study characteristics and recommendations for prevention and intervention in school psychology journals. *Psychology in the Schools*, *59*(1), 115–151. <https://doi.org/10.1002/pits.22508>
- Alexander, T. N., Clark, L. B., Flores-Ganley, I., Harris, C., Kohli, J., McLelland, L., Moody, P., Powell, N., Smith, M., & Zatz, N. (n.d.). *CRT Forward Tracking Project*. UCLA School of Law Critical Race Studies Program. Retrieved May 23, 2025, from <https://crtforward.law.ucla.edu/>
- Boveda, M., & Annamma, S. A. (2023). Beyond making a statement: An intersectional framing of the power and possibilities of positioning. *Educational Researcher*, *52*(5), 306–314. <https://doi.org/10.3102/0013189X231167149>
- Boxenbaum, E., & Jonsson, S. (2017). Isomorphism, diffusion and decoupling: Concept evolution and theoretical challenges. In *The SAGE Handbook of Organizational Institutionalism* (pp. 77–101). SAGE Publications. <https://doi.org/10.4135/9781446280669.n4>
- Braun, V., & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative Research in Psychology*, *3*(2), 77–101. <https://doi.org/10.1191/1478088706qp063oa>
- Buras, K. L., & Urban South Grassroots Research Collective, M. (2013). New Orleans education reform: A guide for cities or a warning for communities? (Grassroots lessons learned, 2005–2012). *Berkeley Review of Education*, *4*(1). <https://doi.org/10.5070/B84110023>
- Carspecken, P. F. (1996). *Critical ethnography in educational research: A theoretical and practical guide*. Routledge.
- Cassaro, T. M. (2024). A student's first amendment right to receive information in the age of anti-CRT and "Don't Say Gay" laws. *New York University Law Review*, *99*(1), 280–319.
- Chiang, T., & Killian, C. (2024). Child education rights versus parental preferences: A paradox between United Nations conventions and alternative schooling methods. *Educational Policy*, *38*(5), 1176–1199. <https://doi.org/10.1177/08959048231198821>
- Choi, A. (2024, January 3). Record number of anti-LGBTQ bills were introduced in 2023. *CNN*. <https://www.cnn.com/politics/anti-lgbtq-plus-state-bill-rights-dg/index.html>
- Contreras, R. (2023, March 31). The forces behind anti-trans bills across the U.S. *Axios*. <https://www.axios.com/2023/03/31/anti-trans-bills-2023-america>

- Exec. Order No. 14151, 90 FR 8339 (2025).
<https://www.federalregister.gov/documents/2025/01/29/2025-01953/ending-radical-and-wasteful-government-dei-programs-and-preferencing>
- Exec. Order No. 14168, 90 F. R. 8615 (2025).
<https://www.federalregister.gov/documents/2025/01/30/2025-02090/defending-women-from-gender-ideology-extremism-and-restoring-biological-truth-to-the-federal>
- Factora, J. (2023, September 21). These are the far right-groups leading the book ban explosion. *TheM*. <https://www.them.us/story/book-bans-conservative-advocacy-groups>
- Farley, A. N., & Leonardi, B. (2021). Beyond bathroom bills and the gender identity debate: Complicating the policy conversation about supporting trans students in schools. *Educational Policy*, 35(2), 274–303. <https://doi.org/10.1177/0895904820986770>
- Farley, A. N., Leonardi, B., & Donnor, J. K. (2021). Perpetuating inequalities: The role of political distraction in education policy. *Educational Policy*, 35(2), 163–179. <https://doi.org/10.1177/0895904820987992>
- Fitzpatrick, K., & May, S. (2022). *Critical ethnography and education: Theory, methodology, and ethics*. Routledge. <https://doi.org/10.4324/9781315208510>
- Flint, M. A., Kilgo, C. A., Emslie, K., & Bennett, L. A. (2023). The nexus of trans collegians’ pronouns and name practices navigating campus space(s): Beyond the binary. *Journal of Diversity in Higher Education*, 16(4), 471–485. <https://doi.org/10.1037/dhe0000349>
- Fowler, M. M., & Mountz, S. (2024). Discipline, erasure, and silenced subjectivities: A critical discourse analysis of Florida’s 2022 Parental Rights in Education Act. *Affilia: Feminist Inquiry in Social Work*, 39(1), 24–41. <https://doi.org/10.1177/08861099231197164>
- Gilbert, J., Fields, J., Mamo, L., & Lesko, N. (2018). Intimate possibilities: The beyond bullying project and stories of LGBTQ sexuality and gender in US schools. *Harvard Educational Review*, 88(2), 163–183. <https://doi.org/10.17763/1943-5045-88.2.163>
- Given Name Act, H.B. 81, Louisiana 2023 Regular Session (2023). <https://www.legis.la.gov/Legis/BillInfo.aspx?s=23RS&b=HB81&sbi=y>
- Given Name Act, H.B. 121, Louisiana 2024 Regular Session (2024). <https://legis.la.gov/legis/BillInfo.aspx?i=245685>
- Goff, S. L. (2009). *When education ceases to be public: The privatization of the New Orleans school system after Hurricane Katrina*. [Master’s thesis]. University of New Orleans Theses and Dissertations, no. 911. <https://scholarworks.uno.edu/td/911>
- Goldberg, A. E., & Abreu, R. (2024). LGBTQ parent concerns and parent–child communication about the Parental Rights in Education Bill (“Don’t Say Gay”) in Florida. *Family Relations*, 73(1), 318–339. <https://doi.org/10.1111/fare.12894>
- Goldberg, A. E., Abreu, R. L., & Flores, A. R. (2024). Perceived impact of the Parental Rights in Education Act (“Don’t Say Gay”) on LGBTQ+ parents in Florida. *The Counseling Psychologist*, 52(2), 224–266. <https://doi.org/10.1177/00110000231219767>
- Goldberg, A. E., Toomey, R. B., & Abreu, R. L. (2024). “Don’t Say Gay”: Implications for outness and desire to move among LGBTQ + parents in Florida. *Sexuality Research and Social Policy*, 21(3), 1189–1205. <https://doi.org/10.1007/s13178-024-00982-9>
- Gorse, M. (2020). Risk and protective factors to LGBTQ+ youth suicide: A review of the literature. *Child & Adolescent Social Work Journal*, 1–12. <https://doi.org/10.1007/s10560-020-00710-3>
- Hallett, T. (2010). The myth incarnate: Recoupling processes, turmoil, and inhabited institutions in an urban elementary school. *American Sociological Review*, 75(1), 52–74. <https://doi.org/10.1177/0003122409357044>

- H.B. 122, H.B. 122, Louisiana 2024 Regular Session (2024).
<https://legis.la.gov/legis/BillInfo.aspx?i=245686>
- H.B. 466, H.B. 466, Louisiana 2023 Regular Session (2023).
<https://www.legis.la.gov/Legis/BillInfo.aspx?s=23RS&b=HB466&sbi=y>
- Hernández, G. O., & Barcelos, C. (2023). Queer punishments: School safety and youth of color in the United States. *Equity & Excellence in Education*, 56(1–2), 87–99.
<https://doi.org/10.1080/10665684.2022.2159897>
- Hornbeck, D. (2023). Navigating parental rights: A study of Virginia’s model policies on transgender student treatment. *Education Policy Analysis Archives*, 31(113).
<https://doi.org/10.14507/epaa.31.8166>
- Instruction in Sex Education, Pub. L. No. LA Rev Stat § 17:281 (1993).
<https://legis.la.gov/legis/law.aspx?d=80423>
- Jastram, S. M., & Foersterling, J. (2024). Clarifying ends in institutional decoupling theory: Insights from social impact research. *Journal of Business Economics*, 94(3), 501–523.
<https://doi.org/10.1007/s11573-023-01170-8>
- King, M. (2024). *Teacher perceptions of “Don’t Say Gay” bills*. [Honor’s thesis]. Williams Honors College, Honors Research Projects.
https://ideexchange.uakron.edu/honors_research_projects/1819
- Knipp, H. (2024). *Gender and schools: A critical ethnography* [Doctoral dissertation, Tulane University]. Tulane University Theses and Dissertations Archive.
https://library.search.tulane.edu/discovery/delivery/01TUL_INST:Tulane/12443975930006326
- Knipp, H., & Stevenson, R. (2022). “A powerful visual statement”: Race, class, and gender in uniform and dress code policies in New Orleans public charter schools. *Affilia*, 37(1), 79-96.
<https://doi.org/10.1177/08861099211010026>
- Kosciw, J. G., Clark, C. M., & Menard, L. (2022). *The 2021 National School Climate Survey: The experiences of LGBTQ+ youth in our nation’s schools*. GLSEN.
<https://www.glsen.org/sites/default/files/2022-10/NSCS-2021-Full-Report.pdf>
- Mayo, C. (2021). Distractions and defractions: Using parental rights to fight against the educational rights of transgender, nonbinary, and gender diverse students. *Educational Policy*, 35(2), 368–382. <https://doi.org/10.1177/0895904820983033>
- McQuillan, M. T., Lebovitz, B. A., & Harbin, L. (2024). The disruptive power of policy erasure: How state legislators and school boards fail to take up trans-affirming policies while leaning into anti-LGBTQ+ policies. *Educational Policy*, 38(3), 642–699.
<https://doi.org/10.1177/08959048231218206>
- Meyer, J. W., & Rowan, B. (1977). Institutionalized organizations: Formal structure as myth and ceremony. *American Journal of Sociology*, 83(2), 340–363. <https://doi.org/10.1086/226550>
- Miller, sj. (2019). *About gender identity justice in schools and communities*. Teachers College Press.
- Morning Consult. (2023). *Issues impacting LGBTQ+ youth*. The Trevor Project.
<https://www.thetrevorproject.org/blog/new-poll-emphasizes-negative-impacts-of-anti-lgbtq-policies-on-lgbtq-youth/>
- Parental Rights in Education, Florida Senate, H.B. 1557 (2022).
<https://www.flsenate.gov/Session/Bill/2022/1557>
- Parents’ Bill of Rights for Public Schools, Pub. L. No. LA Rev Stat § 17:406.9 (2018).
<https://legis.la.gov/Legis/Law.aspx?d=920005>
- Penney, J. W. (2021). Understanding chilling effects. *Minnesota Law Review*, 106(3), 1451-1530–1532.
<https://doi.org/10.2139/ssrn.3855619>

- Prieur, D. (2024, March 12). Court overturns large part of Florida’s so-called “don’t say gay” law. NPR. <https://www.npr.org/2024/03/12/1238113992/court-overturns-large-part-of-floridas-so-called-dont-say-gay-law>
- Reed, E. (2025, March 25). Anti-trans national risk assessment map: March edition. *Erin In The Morning*. <https://www.erininthemorning.com/p/anti-trans-national-risk-assessment>
- Sandelowski, M. (2000). Whatever happened to qualitative description? *Research in Nursing & Health*, 23(4), 334–340. [https://doi.org/10.1002/1098-240X\(200008\)23:4<334::AID-NUR9>3.0.CO;2-G](https://doi.org/10.1002/1098-240X(200008)23:4<334::AID-NUR9>3.0.CO;2-G)
- Steck, A. K., & Perry, D. (2018). Challenging heteronormativity: Creating a safe and inclusive environment for LGBTQ students. *Journal of School Violence*, 17(2), 227–243. <https://doi.org/10.1080/15388220.2017.1308255>
- Trainor, C. (2025). *Dear Colleague Letter SFFA v. Harvard*. U.S. Department of Education, Office for Civil Rights. <https://www.ed.gov/media/document/dear-colleague-letter-sffa-v-harvard-109506.pdf>
- Williams, D., & Crimmins, P. (2024). Poststructural analysis of anti-LGBTQ + educational policies. *Educational Policy*, 1–28. <https://doi.org/10.31124/advance.24901125>

About the Author

Hannah Knipp

University of Montana
hannah.knipp@mso.umt.edu

<https://orcid.org/0000-0003-3705-5024>

Hannah Knipp is an assistant professor in the School of Social Work at the University of Montana. Her research focuses on the interplay between educational policy, school practices, and lived experiences in K-12 public schools, with particular emphasis on gender and sexuality.

education policy analysis archives

Volume 33 Number 42

June 24, 2025

ISSN 1068-2341



Readers are free to copy, display, distribute, and adapt this article, as long as the work is attributed to the author(s) and **Education Policy Analysis Archives**, the changes are identified, and the same license applies to the

derivative work. More details of this Creative Commons license are available at

<https://creativecommons.org/licenses/by-sa/4.0/>. **EPAA** is published by the Mary Lou Fulton College of Teaching and Learning Innovation at Arizona State University. Articles are indexed in CIRC (Clasificación Integrada de Revistas Científicas, Spain), DIALNET (Spain), [Directory of Open Access Journals](#), EBSCO Education Research Complete, ERIC, Education Full Text (H.W. Wilson), QUALIS A1 (Brazil), SCImago Journal Rank, SCOPUS, SOCOLAR (China).

About the Editorial Team: <https://epaa.asu.edu/ojs/index.php/epaa/about/editorialTeam>

Please send errata notes to Jeanne M. Powers at jeanne.powers@asu.edu
