



## Problematizing Democracy: Hidden Problematizations in Queer Content Prohibition Policies

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**Citation:** Reeve-Lobaugh, E. (2026). Problematizing democracy: Hidden problematizations in queer content prohibition policies. *Education Policy Analysis Archives*, 34(85).  
<https://doi.org/10.14507/epaa.34.9632>

**Abstract:** Recent policies prohibiting queer content and conversations in schools represent a new approach to curricular censorship and prejudice by combining parental rights advocacy framing with historical discrimination against and fear of queer identities. Impacts of these policies move beyond tangible classrooms and problematize the foundational ideals of democratic education. Guided by Levinson et al.'s (2009) conceptualization of policy as power and Werts & Brewer's (2014) understanding of policy implementation as a political act, this critical discourse analysis study used Bacchi's (2009) what's the problem represented to be (WPR) policy analysis approach to identify and analyze problematizations, categorizations, and assumptions made by queer content prohibition policies passed and implemented in the United States between January 2022 and May 2025. All 15 policies present, encourage, and/or extend the problem that public schools are untrustworthy because (1) schools are indoctrinating vulnerable students by providing inappropriate sexual orientation and gender identity content and forcing the use of gender-affirming pronouns; (2) parents are purposefully uninformed about classroom curricular content, health services, and the content of or motivations behind conversations between school personnel and students; and (3) schools prevent parental involvement and do not provide safe opportunities for parents to combat disagreeable content.

**Keywords:** education policy; problematization; queer content prohibition policies; democracy; democratic education

### **Problematizar la democracia: Problematizaciones ocultas en las políticas de prohibición de contenidos queer**

**Resumen:** Las políticas recientes que prohíben contenidos y conversaciones queer en las escuelas representan un nuevo enfoque de la censura curricular y el prejuicio, al combinar un discurso de defensa de los derechos de los padres con formas históricas de discriminación y temor hacia las identidades queer. Los efectos de estas políticas van más allá de lo que ocurre directamente en las aulas y problematizan los ideales fundamentales de la educación democrática. Guiado por la conceptualización de las políticas como poder de Levinson et al. (2009) y por la comprensión de Werts y Brewer (2014) de la implementación de políticas como un acto político, este estudio de análisis crítico del discurso empleó el enfoque de análisis de políticas WPR (*What's the Problem Represented to Be?*) de Bacchi (2009) para identificar y analizar las problematizaciones, categorizaciones y supuestos presentes en las políticas de prohibición de contenidos queer aprobadas e implementadas en Estados Unidos entre enero de 2022 y mayo de 2025. Las quince políticas analizadas presentan, promueven y/o amplían la idea de que las escuelas públicas no son dignas de confianza porque (1) las escuelas adoctrinan a estudiantes vulnerables al proporcionar contenidos inapropiados sobre orientación sexual e identidad de género y exigir el uso de pronombres que afirman la identidad de género; (2) los padres no reciben deliberadamente información sobre los contenidos curriculares de las aulas, los servicios de salud y el contenido o las motivaciones de las conversaciones entre el personal escolar y los estudiantes; y (3) las escuelas impiden la participación de los padres y no ofrecen oportunidades seguras para que estos cuestionen contenidos con los que no están de acuerdo.

**Palabras clave:** política educativa; problematización; políticas de prohibición de contenidos queer; democracia; educación democrática

### **Problematizando a democracia: Problematizações ocultas nas políticas de proibição de conteúdos queer**

**Resumo:** As políticas recentes que proíbem conteúdos e conversas queer nas escolas representam uma nova abordagem à censura curricular e ao preconceito, ao combinar uma perspectiva de defesa dos direitos dos pais com formas históricas de discriminação e medo em relação às identidades queer. Os impactos dessas políticas vão além do que ocorre diretamente nas salas de aula e problematizam os ideais fundamentais da educação democrática. Orientado pela conceituação de política como poder de Levinson et al. (2009) e pela compreensão de Werts e Brewer (2014) da implementação de políticas como um ato político, este estudo de análise crítica do discurso utilizou a abordagem de análise de políticas WPR (*What's the Problem Represented to Be?*) de Bacchi (2009) para identificar e analisar as problematizações, categorizações e pressupostos presentes nas políticas de proibição de conteúdos queer aprovadas e implementadas nos Estados Unidos entre janeiro de 2022 e maio de 2025. As quinze políticas analisadas apresentam, promovem e/ou ampliam a ideia de que as escolas públicas não são dignas de confiança porque (1) as escolas doutrina estudantes vulneráveis ao oferecer conteúdos inadequados sobre orientação sexual e identidade de gênero e exigir o uso de pronomes que afirmam a identidade de gênero; (2) os pais são deliberadamente privados de informações sobre os conteúdos curriculares das salas de aula, os serviços de saúde e o conteúdo ou as motivações das conversas entre profissionais da escola e estudantes; e (3) as escolas impedem a participação dos pais e não oferecem oportunidades seguras para que eles contestem conteúdos com os quais discordam.

**Palavras-chave:** política educacional; problematização; políticas de proibição de conteúdos queer; democracia; educação democrática

## **Problematizing Democracy: Hidden Problematizations in Queer Content Prohibition Policies**

Recent policies prohibiting queer content and conversations in schools, as initiated by Florida's HB 1557, represent a new approach to curricular censorship and prejudice by combining parental rights advocacy framing with historical discrimination against and fear of queer identities. This study focused on statewide queer content prohibition policies<sup>1</sup> passed and implemented between January 2022 and May 2025. A total of 15 policies from 12 states fit these requirements. By using Bacchi's (2009) WPR framework to analyze each policy, one overall problematization with three overlapping and interrelated problematizations was identified. All 15 policies present, encourage, and/or extend the problem that public schools are untrustworthy because (1) schools are indoctrinating vulnerable students by providing inappropriate sexual orientation and gender identity content and forcing the use of gender-affirming pronouns; (2) parents are purposefully uninformed about classroom curricular content, health services offered to students or changes in student health services, and the content of or motivations behind conversations between school personnel and students; and (3) schools prevent parental involvement and do not provide safe opportunities for parents to combat disagreeable content.

These problematizations recreate and enhance historical discrimination of and prejudice against queer identities (Bishop et al., 2010; Eckes & McCarthy, 2008; Eskridge, 2000; Jackson, 2007; King, 2004; McGovern, 2012; Rosky, 2017; Walsh, 2022). Fears of and prejudice against queer identities are prevalent throughout the history of public education in the United States, primarily demonstrated through anti-queer teacher prohibitions and curricular content legislation; however, traditional content prohibitions specified gender and sexuality content within specific curricular contents (Barrett & Bound, 2015). What makes queer content prohibition policies different than previous discriminatory curricular legislation is the policy-created connection between the fear of queer identities and parental rights (Bishop et al., 2010; Eckes & McCarthy, 2008; Eskridge, 2000; Jackson, 2007; King, 2004; McGovern, 2012; Rosky, 2017; Walsh, 2022).

The problematizations assumed, created, and supported by these policies extend beyond queer identities and problematize the primary purposes of education in a democracy. Democracy ideally promotes and creates spaces for civic discourse and reflexive collaboration (Finnegan & Fleming, 2023); by suggesting public school districts and personnel are wielding power over vulnerable students and their well-intentioned parents, these policies create detrimental subjectification effects that prime parents to distrust and anonymously combat any content or instruction they disagree with, don't understand, or fear. These policies attack the purpose of democratic education as building a "[foundation] for rational deliberation of differing ways of life" (Gutmann, 1993, p. 4) by preventing students from engaging with different perspectives and stoking fear at the very suggestion of student access to them.

Beyond the classroom, these policies contribute to and reflect the growing partisan divide in the United States (Finkel et al., 2020; Van Bavel et al., 2024) by proposing that instead of classrooms serving as spaces to explore topics that prompt multiple interpretations, parents and community members have the right to prohibit and censor content that is disagreeable to them in public school settings. By prioritizing the values and viewpoints of individuals who seek to erase minoritized

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<sup>1</sup> Throughout this work, I use queer as an umbrella term for people whose sexual orientation is not heterosexual and/or for people whose gender identity is outside the gender binary (Panfil, 2020). I also use the phrase "queer content prohibition policy" to reference policies that explicitly prohibit queer content and conversations as a counter frame to the prominent and misleading framing of these policies as solely focused on parental rights.

voices and perspectives from curricular content, these policies attack the foundations and future of democracy itself.

This study addressed the following research questions: (1) What problem(s) are assumed, created, and emphasized by queer content prohibition policies? and (2) How do the problematizations assumed, created, and emphasized by queer content prohibition policies connect to, support, or work against the foundational ideals of a democratic education?

In the following sections, I outline the historical prevalence of fear of and discrimination against queer identities in the United States and in its system of education, how current queer content prohibition policies diverge from the precedent of parental involvement in schools and curricular content selection and dismissal, and the foundations of the role of education in a democratic society. Then I discuss the WPR methodology I used to gather and analyze data alongside the theoretical underpinnings of this work before discussing findings, key themes, and possible next steps in practicality and in research directions based on this work.

## **Literature Review**

Discrimination and prejudice against queer identities has a long history in the United States (Martino & Kuhl, 2024; Rich, 1993). Fear and discrimination of/against queerness is especially entrenched in the education system (Eskridge, 1999, 2000; Haggerty, 1995). Historical prejudice against queerness and queer identities in education can primarily be seen through (1) discrimination against and prohibition of queer teachers and (2) curricular content requirements. From the early days of education in the United States, those who pursue teaching as a career have been placed in a uniquely moralistic category and have been ostensibly held to a higher moral standard than individuals in other careers. The insidious and historical belief that queerness and queer people are immoral, contagious, and indoctrinating combine to create a consistent and solid foundation for prohibiting and punishing queer teachers (DeMitchell et al., 2009; Eckes & McCarthy, 2008; Kahn & Gorski, 2016; King, 2004). Alongside spoken and implicit teacher requirements and expectations, curricular content requirements have also demonstrated this historical prejudice and fear towards queer identities. From legislation that requires curricular emphasis on the morality and naturalness of heterosexuality alongside the immorality and danger of homosexuality (Machado, 2014; McGovern, 2012; Rosky, 2017) to more recent legislation requiring teaching about HIV/AIDS and its direct connection to homosexuality, using state-level curricular content legislation to actively shape negative student views toward queerness and queer identities is not new with the passage and implementation of queer content prohibition policies (Bishop et al., 2010; Eckes & McCarthy, 2008; Eskridge, 2000; Jackson, 2007; Lugg, 2003; Machado, 2014; McGovern, 2012; Rosky, 2017). What is new, however, is the broader audience queer content prohibition policy policymakers are appealing to and the wider array of content and conversations their policies are policing and prohibiting.

While parents have traditionally played a role in education and in curricular content selection, parental concerns have been met with courts granting parents the ability to select or dismiss content selections for their children, not for an entire class, school, or district (Mawdsley, 1990; Walsh, 2022). Support of parents' rights to be involved in curricular content selection has been limited to choices that do not negatively impact the safety, education, or health of other students or detriment society as a whole; queer content prohibition policies fly in the face of that precedent by suggesting that parents do not currently have the ability to question, adjust, or limit student access to unfamiliar content or content parents may find disagreeable (Walsh, 2022).

One overwhelming and overarching consequence of these policies is the way they fundamentally shift the role and purpose of education in a democratic society, where parental perspectives should be balanced with civic virtues and the input of professional educational

authorities (Gutmann, 1993). Education in a democracy must provide students with ways to see the world, suggesting an element of choice in how they can and want to relate to it (Apple et al., 2022) as opposed to “education as just giving students (and their parents) what they desire” (p. 249). This objective is directly negated by queer content prohibition policies’ explicit removal of content and their requisite enhanced ease of parental opportunities to remove content.

## Methodology and Guiding Frameworks

### What’s the Problem Represented to Be

This study used Bacchi’s (2009) what’s the problem represented to be (WPR) policy analysis approach to identify and analyze problematizations, assumptions, and categories created, emphasized, and supported by queer content prohibition policies passed and implemented between January 2022 and May 2025. The WPR approach was conceptually supported by the definitions and conceptualizations of policy as power as explored by Levinson (2009) and Werts & Brewer’s (2014) foundational premise that policy creation and implementation is inherently political, giving policy the direct opportunity to enhance the ideals of democracy or to directly attack its ideals.

Bacchi’s WPR stems from a strand of critical policy analysis approaches initiated in the mid-1970s aimed at providing researchers with ways to combine purposeful exploration of the role of power dynamics within policy and a focus on social action with text-based policy analysis (Goodwin, 2011). While traditional positivist policy analysis approaches assume logical objectivity on the parts of both policymakers and those interpreting and implementing policy (Chan, 2018; Goodwin, 2011), WPR, with its foundations in critical discourse analysis, provides a focused, systemic way to analyze and understand the underlying problematizations within policies by exploring unstated premises, assumptions, and categorizations (Bacchi, 2009; Riemann, 2023).

Due to its focus on underlying problematization and categorization, WPR is an especially effective approach for identifying and investigating inequalities and systemic marginalization (Riemann, 2023) and can prompt researchers to explore the ways policy impacts individuals’ understandings of their identities and the potential impacts of claiming an identity (O’Hagan, 2020). This approach also provides an effective way to identify and investigate patterns, themes, or differences among a collection of policies based on its clear and structured process (Bacchi, 2009).

The WPR framework guides researchers through a series of six questions about the focus policy and then applies the six questions to the identified problem representations (Bacchi, 2009):

1. What’s the ‘problem’ represented to be in a specific policy?
2. What presuppositions or assumptions underlie this representation of the ‘problem’?
3. How has this representation of the ‘problem’ come about?
4. What is left unproblematic in this problem representation? Where are the silences?  
Can the ‘problem’ be thought about differently?
5. What effects are produced by this representation of the ‘problem’?
6. How/where has this representation of the ‘problem’ been produced, disseminated and defended? Could it be questioned, disrupted and replaced? (p. xii)

In this study, I answered all six questions in my data analysis process and specifically focused on the responses to questions 1 and 5 to answer my research questions. I initially read through each policy to answer question 1, gathering specific examples from each policy to support identified problem representations. Then, using the problems that appeared in most of the policies as a guide, I reread through each policy again to ground and prompt my answers to questions 2-6. After identifying policy-based responses to questions 2-6, I supplemented those responses with additional contextual

research where needed; for example, to broaden my understanding of the history of the identified problem representations. After analyzing my responses to each WPR question, I chose to focus my work on questions 1 and 5 and the direct connections between them in order to highlight the relationship between policy and lived experience.

### Conceptual Frameworks

Layered within Bacchi's (2009) WPR framework guiding this research was Levinson's specific conceptualization of policy as power (2009) and Werts & Brewer's (2014) suggestion that policy creation and implementation is inherently political. Power and its role in policy effects is a key part of a WPR policy analysis. Bacchi (2009) defines and uses the idea of power based on Foucault (1980) and Gunn's (2006) premise of power being productive as opposed to simply repressive and transferrable. Levinson's conceptualization of policy as power (2009) layers on top of this understanding and guides this research by explicitly proposing that policy formation is the "practice of wielding power" (Levinson et al., 2009, p. 771; Levinson et al., 2020, p. 365). As I approached and conducted my data analysis process, I integrated this specific idea of policy as "the practice of wielding power" into my responses to WPR Question 5 which explores the effects of the identified problem representation.

Stemming from this definition of power and the role policy plays in "[making] particular forms of rule and of being possible" (Bacchi, 2009, p. 277) is the second conceptual principle I used to guide this research: Werts & Brewer's (2014) suggestion that policy creation and implementation is inherently political. Werts & Brewer (2014) suggest that education policy analysis be especially mindful of opportunities provided by policy to practice the ideals of democracy. As I used WPR to guide my policy analysis, this conceptualization of policy creation, passage, and implementation as inherently contributing to politization informed the ways I interpreted the overall themes and implications of the identified problematizations.

### Text Selection

The definition of policy is broad and includes everything from specific texts, political decisions, programs, processes, and discourse (Chan, 2018). The WPR policy analysis approach requires the selection of specific texts that are contextual, debatable, and accessible to a broad public audience (Bacchi, 2009; Chan, 2018). The policies analyzed in this study clearly fit into Bacchi's (2009) recommended categories for effective WPR policy analysis: queer content prohibition policies create division between created categories and communities (school personnel and parents/communities, for example), subjectify queer identities and content, and produce a variety of lived effects for multiple parties (Chan, 2018).

In order to meet the purpose of my study and answer my research questions, I established the following eligibility criteria for selecting policies for analysis: policies (1) have been passed and implemented on a state level, (2) have been passed and = implemented between January 2022 and May 2025, and (3) will explicitly prohibit queer content and/or conversations related to queer identities in schools. See Table 1 for a list of analyzed policies.

**Table 1**

*Queer Content Prohibition Policies Implemented between January 2022 and May 2025*

| Location | Bill    | Implementation Date |
|----------|---------|---------------------|
| Arkansas | SB 294  | August 1, 2023      |
| Florida  | HB 1069 | July 1, 2023        |
| Florida  | HB 1557 | July 1, 2022        |

|                |          |                    |
|----------------|----------|--------------------|
| Indiana        | HEA 1608 | May 4, 2023        |
| Iowa           | SF 496   | July 1, 2023       |
| Kentucky       | SB 150   | July 14, 2023      |
| Louisiana      | HB 122   | August 1, 2024     |
| Louisiana      | HB 121   | August 1 2024      |
| Montana        | SB 518   | July 1, 2023       |
| Montana        | HB 676   | July 1, 2023       |
| New Hampshire  | HB 1312  | September 17, 2024 |
| North Carolina | SB 49    | August 16, 2023    |
| Ohio           | HB 8     | April 9, 2025      |
| Tennessee      | SB 1443  | July 1, 2023       |
| Wyoming        | SF 9     | July 1, 2024       |

## Findings

In this section, I begin by overviewing the two specific WPR questions most directly related to my research questions and used to guide my findings. Next, I present the findings from my WPR analysis of queer content prohibition policies, organized by the identified problematizations explained in response to the first WPR question.

### Question 1: What is the Problem Represented to be in a Specific Policy?

The first question of a WPR analysis asks researchers to determine the key problem or problems presented, emphasized, or created by the focus policy. This initial step is based on the premise that the foundational purpose of policy is to identify and/or solve existing or potential problems, leading all policies to contain implicit and/or explicit problem representations (Bacchi, 2009).

While all identified queer content prohibition policies contain occasional or consistently unique wording and specific elements or details, they all stem from a common foundation. My analysis identified one overall problematization that appeared in every policy with three major interrelated and overlapping strands: public schools are untrustworthy because (1) schools are indoctrinating vulnerable students by providing inappropriate sexual orientation and gender identity content and forcing the use of gender-affirming pronouns; (2) parents are consistently and purposefully uninformed about classroom curricular content, health services offered to students or changes in student health services status, and the content of or motivations behind conversations school personnel have with students; and (3) parents have no way of getting involved in schools or combatting provided content without risking their own safety or the safety of their students.

### Question 5: What Effects are Produced by this Representation of the Problem?

Question five of the WPR framework questions the assumption that problem representations follow natural patterns of cause and effect and that the causes or harms are the same for all impacted groups (Bacchi, 2009). Unlike traditional policy approaches that focus on identifying general policy outcomes, WPR's question five specifies three overlapping types of effects and specifies that different groups may experience different effects or experience similar effects differently (Bacchi, 2009). See Table 2 for definitions and examples of each type of effect.

**Table 2**

*Types of Effects*

|                  | Definition                                                                                                                      |
|------------------|---------------------------------------------------------------------------------------------------------------------------------|
| Discursive       | Effects based on policy-imposed assumptions that create silences and limit understanding of other perspectives                  |
| Subjectification | How policies “set up social relationships,” create divisions between constructed groups, and assign responsibility for problems |
| Lived            | Material impacts of policy                                                                                                      |

*Note.* Definitions from Bacchi, 2009.

Foundational to WPR question 5 and to this research is the combination of Bacchi’s Foucault-inspired conceptualization of power, which holds that “power shapes our conceptions of ourselves and of the world at the very deepest levels” (Bacchi, 2009, p. 38), with Levinson’s (2009) suggestion of policy as a symbol of power. Instead of viewing power as something to be held, the focus in WPR policy analysis is on how power operates and the effects of power instead (Bacchi, 2009). Policy, specifically as a type of discourse, “make particular forms of rule and of being possible” (Bacchi, 2009, p. 277). Within each identified common problematization, I consider the effect implications with a specific focus on how policy creates, changes, and represents power dynamics.

In the sections that follow, I overview each primary problematization and combine my responses from WPR questions 1 and 5 to emphasize the connections between the identified problematizations and their effects.

### **Overall Problem: Schools are Untrustworthy**

In many queer content prohibition policies the problem of untrustworthy schools, policies, and personnel lies under the surface, created through a combination of implied indoctrination, vulnerable students, inappropriate and hidden content and conversations, and impotent parents and guardians. As these are state policies, the implication is that public schools, regulations, and people are at the root of this problem, as opposed to charter schools or private schools. This overarching problematization appears in a variety of ways depending on the supporting problematizations of each individual policy: Arkansas Act 237 creates and emphasizes the problems of indoctrinating content alongside parental unawareness of said content while New Hampshire’s HB 1312 focuses on the problems of parental unawareness of health services and malicious student-school personnel conversations paired with the inability of parents to combat content they find objectionable. Wyoming SF 9 explicitly suggests schools are not to be trusted, requiring schools to “adopt necessary rules... for a parent or guardian to file a complaint with the school district regarding a school district's non-compliance with this section” (p. 1), suggesting that schools are not even to be trusted to comply with this legislation without parental oversight. While additional explanation and specific examples from individual policies will be demonstrated in further specific problematization strands, an overall understanding of this foundational problematization is essential as all secondary problematizations connect to and support this fundamental agenda.

### ***Problem Strand 1: Indoctrinating Vulnerable Students***

The first problematized strand within the overarching problem of untrustworthy schools, school systems, and school personnel is the indoctrination of vulnerable students. Arkansas’s Act 237 and Louisiana’s HB 121 are the most explicit in these problematizations, requiring that districts

“identify any items that may, purposely or otherwise, promote teaching that would indoctrinate students with ideologies” and “amend, annul, or alter [materials] that are considered indoctrination” (AK 237, p. 20) while concurrently emphasizing the vulnerability of students receiving the indoctrinating content or instruction by stating “individuals under eighteen are minors, and the courts have recognized their immaturity” (LA HB 121, p. 2).

Queer content prohibition policies create the problem of indoctrination by proposing that school personnel and districts are requiring students to uncritically understand, accept, and adopt beliefs and perspectives antithetical to those of their parents and/or communities. The two most prominent ways these policies create the problem of indoctrination are through prohibiting inappropriate content and conversations regarding sexual orientation and gender identity and prohibiting the forced use of gender-affirming names and pronouns. Sexual orientation and gender identity content and conversations fit within the problematization of indoctrination because it is not just that it is a problem that the content is being addressed, it is that policies specifically state that the content must be covered in an age or developmentally appropriate manner or not at all, suggesting that currently, these topics are being covered in a way that encourages students to understand, believe, and use specific viewpoints about these deeply personal topics. Policies like Louisiana’s HB 122 which prohibit “[covering] the topics of sexual orientation or gender identity in any classroom discussion or instruction in a manner that deviates from state content standards” (p. 1) suggests instruction and conversation surrounding these topics are currently unaligned with curricular standards. Both of Florida’s queer content prohibition policies as well as Iowa’s SF 496 and Ohio’s HB 8 also use the terms “age-appropriate” or “developmentally appropriate,” creating the problematic assumption that this content currently isn’t aligned to the ages or developmental levels of the focus students, further emphasizing both the indoctrination problem and the intensified suggestion of vulnerable and developmentally agencyless students.

The specific problematization of the forced use of gender-affirming personal pronouns and names, seen explicitly in five policies and implicitly in 13, contributes to the problem of indoctrination by suggesting that the very use of gender-affirming pronouns and names is forcing unwilling students to adhere to or believe in a values system antithetical to that of their parents and communities. Policies such as Ohio’s HB 8 and Louisiana’s HB 121 create a foundation of this problematization by outlining strict definitions of sex as “without regard to an individual’s psychological, chosen, or subjective experience of gender” (OH HB 8, p. 3) and defining female and male based on “biological reproductive system” and the use of those systems for “fertilization” (LA HB 121, p. 3), foregrounding the problem of forced use of pronouns within the broader problem of indoctrinating students with the belief that gender is socially constructed as opposed to biologically and objectively determined. Other policies connect pronoun prohibition directly to content-based issues of indoctrination and conversations as in Louisiana’s HB 122 which states “No teacher... shall engage in... discussing his own sexual orientation or gender identity” (p. 2).

### ***Problem 1 Impacts***

Discursive effects consider the ways policy assumptions and problematizations erase or limit understanding of perspectives. This problematization removes any thought or investigation of what sex and gender content and conversations tangibly or realistically look like in schools and prevents consideration of the benefits of such content. The problematization removes the broad perspective of students by assuming they are unwillingly being taught to accept information and viewpoints, but specifically and more detrimentally, it erases any consideration of the perspective of queer students, school personnel, or community members, especially those who identify as transgender or nonbinary.

The primary subjectification effects of this problematization is the creation of students as a category without agency or authority students positioned against indoctrinating teachers and school personnel. The policy assumes students have no ability to engage in critical conversations about unfamiliar subjects or content about which their parents disagree, and further assumes teachers are wielding their power to force students to believe and act in detrimental ways. School personnel are also assumed to wield power over students and parents by using gender-affirming pronouns and by sharing indoctrinating personal information about themselves with vulnerable students.

A clear lived effect of this problematization is fear and confusion of teachers and school personnel regarding their ability to teach, share, or converse with students about specific topics. While some policies, such as Indiana's HEA 1608, have specific caveats technically allowing teachers to answer student questions, the overwhelming focus on schools providing parents easy access to complaints and removing curricular topics and materials places school personnel in a constant state of uncertainty regarding the legality of their content and conversations that have any connection to sexual or gender identity. Broadly, the removal of content and conversations about diverse identities and perspectives prevents students from building critical thinking skills and empathy that accompanies learning about lives and identities that may differ from those in their experience and effectively erases the acknowledgement of any identities outside of the gender binary or heterosexual norm.

### ***Problem Strand 2: Parental Lack of Access to Information***

Related to and overlapping with the problematization of indoctrination is the problematization of a lack of parental knowledge about classroom content, health services offered and provided to students, and conversations and conversational topics between students and school personnel. Ten policies create the problem of content unawareness specifically in regards to sexual orientation, gender identity, and sexual behavior content, as demonstrated in New Hampshire's HB 1312: "the policy shall also require the school district or classroom teacher to provide parents and legal guardians not less than 2 weeks advance notice of any curriculum course material used for instruction or program of human sexuality, human sexual education, sexual orientation, gender, gender identity, or gender expression" (NH HB 1312). Kentucky's SB 150 takes the problematization a step further, requiring "a policy to notify a parent in advance and obtain the parent's written consent before the parent's child... receives any instruction... on human sexuality or sexually transmitted diseases" (KY SB 150, p.2). This problematization is also created and emphasized in the ten policies that pair sexuality and gender identification content prohibitions and requirements with student access to health services.

An especially malicious and powerful piece of this problematization is the emphasis on preventing school personnel from encouraging students to keep information from their parents, problematizing both the idea that parents don't know what is happening in school alongside the overall suggestion that schools cannot be trusted to communicate with families, support students, or serve as safe spaces for student needs. Florida's HB 1557, the original queer content prohibition policy, emphasized this problematization by "Prohibiting a school district from adopting procedures or student support forms that prohibit school district personnel from notifying a parent about specified information or that encourage or have the effect of encouraging a student to withhold from a parent such information" (FL H.B. 1557). Other policies have followed suit, framing school districts as secretly hoarding student information, as in Montana's HB 676 requirement that parents should be able to "access and review all written and electronic education records relating to the child that are controlled by or in the possession of a school" (2) and "access and review all health and medical records of the child" (2), and suggesting that school personnel are encouraging students to

hide decisions, questions, and conversations from parents and guardians, as in North Carolina's S 49: "an employee of the State who encourages, coerces, or attempts to encourage or coerce a child to withhold information from his or her parent may be subject to disciplinary action" (NC S 49, p.2). Even policies that acknowledge the role teachers and school personnel play in more informal support of students do not allow for this support to happen without direct parental awareness, as seen in Louisiana's HB 122: "nothing in this Section shall be construed to mean a student may not seek out guidance from a teacher or licensed mental health professional outside classroom hours with prior parental consent" (LA HB 122, p. 2).

### ***Problem 2 Impacts***

Extending the assumptions from the previous problematization, this problematization assumes students do not have agency in their education or even conversations with school personnel, and, furthermore, that parents should be aware of and involved with every piece of content and conversation that happens in a school setting. This assumption removes the possibility that it might be safer for students to share information, questions, or identities with school personnel rather than parents, leaving the only time students would have these conversations with school personnel is because teachers are indoctrinating and manipulating students. This problematization also assumes these topics and services, including gender-affirming pronouns and the broadly termed health services, are negative or that they have the potential to be harmful to students, contagious to all students, and ultimately detrimental.

Continuing the subjectifying school personnel vs. students binary from the first problematization, this problematization poses that students need protection from the indoctrinating and inappropriate teachers, once again suggesting teachers are wielding power over vulnerable students. Students are not the only ones suffering from the powerful roles of teachers and school personnel within this problematization: schools and school personnel provide students with unnecessary health services and collect health information needlessly without the input of the parents, who are better equipped to decide what their students need. This conflict creates and furthers the categorizations of parents who care about their students and teachers who are thoughtless with student information and purposefully keeping information from parents.

One of the most prominent and wide-reaching lived effects of this problematization is the lack of high-quality, research-based information about sex and gender because of the policies themselves, parental complaints, and teacher fears. As many of these policies require parental consent before specific content topics are addressed, school personnel now must spend time and energy to create parental consent documentation, gather consent, and provide alternate curricular options for students whose parents do not give consent. Students who have previously been relying on school personnel or school health services as safe spaces for them to be themselves will no longer have those supports, and beneficial health services could be removed due to parental complaints.

### ***Problem Strand 3: Dismissal of Parental Rights to Combat Content***

The third and most actionable interrelated problematization is parental inability to safely combat objectionable content, conversations, and behaviors. In seven policies, this problematization begins with a broad and sweeping declaration that "school districts and district personnel shall respect the rights of parents to make decisions regarding the upbringing and control of the student" (KY SB 150, p. 1) and assert "a parent has the right ... to direct the education and care of his or her child; to direct the upbringing and moral or religious training of his or her child" (NC S 49, p. 1).

Directly following these proclamations are the pages of policies that require the creation and implementation of processes and procedures to provide parents with the opportunity to easily

censor and prohibit, such as in Iowa's SF 496: "Each school district shall publish... a detailed explanation of the procedures or policies in effect for the parent or guardian... to request the removal of a book, article, outline, handout, video, or other educational material" (8). Florida's HB 1069 even emphasizes conflict between school personnel and parents within this problematization, requiring the district policies that enable parents or community members to object to content "must be easy to read and understand and be easily accessible" (FL HB 1069, p. 12). Montana's HB 676 moves this problematization into a consequential space by adding a chilling and nonspecific punishment for noncompliant school districts: "when a parent's fundamental rights ... are violated, a parent may assert that violation as a claim or defense... and obtain appropriate relief" (MT HB 676, p. 3).

Relatedly, multiple policies create an element of fear alongside this problematization. By requiring that "the name of the parent or legal guardian and any specific reasons disclosed to school officials for the objection... shall not be public information" (NH HB 1312), ensuring "the identity of a parent or guardian who requests the removal... shall be confidential" (IA SF 496, p. 9), and emphasizing "any course, curriculum or program... on the subject of human sexuality... shall provide an alternative ... without any penalty to the student" (KY SB 150, p.2), these policies suggest that even if parents are able to object to curricular content, they might face consequences alongside their students. Fear of repercussions for parents requesting content removal is elevated and rationalized by the policies' confidentiality requirements. Without fear of repercussions, there would be no reason to require schools withhold or not publish the names of parents making these requests. This furthers the overarching problematization of untrustworthy schools by suggesting that not only do schools not want to do what is in the best interests of parents, they also cannot be trusted to provide equitable educational opportunities for all students. The inclusion of policy language stating that students must not be penalized for engaging with alternate content suggests that of their own accord, schools and/or teachers would punish these students or fail to provide an adequate alternate academic opportunity.

### ***Problem 3 Impacts***

The discursive effects of this problematization directly attack teachers and educational professionals by removing the perspective of those who select curricular content. The problematization assumes that parents should be the ones guiding and directing students' education, removing any consideration of teacher professionalism or their training and how curriculum and content is currently selected. It removes the assumption education is meant to serve and support everyone and to build a well-educated citizenry where everyone needs to have a basis of certain skills and knowledge and instead makes education more about what every individual family wants for their individual student, removing any conversation about how this might not be a good thing for all students or how that will/could impact the broader community/world.

The subjectification effects of this problematization continue directly from the previous problematizations and focus on the power dynamics between school personnel and parents. School districts and school personnel, who are indoctrinating, teaching inappropriate content, and punishing students whose parents would request alternate content, are wielding power over parents who deserve to have more rights over what is happening and just want to be involved and know what is best for students to the detriment of students who don't have a voice in any of it but might be punished by teachers anyway.

Much like the lived effects of the first problematization, school personnel are likely to be fearful about how they approach content and conversations as a lived result of these policies. Curricular content also will become more based on what vocal parents want as opposed to aligning with community, world, or democratic needs. Additionally, as schools and districts are likely to have

drastically different parental and community perspectives on appropriate or required content, these policies will lead to students having even less consistent academic experiences, with their skills and knowledge mastery depending on the content and skills that are replaced or that they are opted out of based on parental perspectives.

## Discussion

This study examined the problem representations created, assumed, and emphasized by queer content prohibition policies and explored the ways these policies threaten and problematize democratic education. Due to the recent influx in queer content prohibition policies across the country, this is an important area of research into the initial impacts of these policies and the broader, implicit messages of their problematizations. This study affirms and extends the existing literature on discrimination in queer identities in public education and the historical connection between queer identities in education and indoctrination.

My WPR analysis of queer content prohibition policies revealed one overall common problem representations with three interwoven strands: Public schools and school personnel are untrustworthy, specifically based on the (1) presentation and assumption of indoctrination of vulnerable students; (2) malicious hiding of content, conversations, and student information from parents; and (3) the dismissal and prevention of parental rights to be involved in their students' educations and combat content. These problem representations emphasize the assumption that schools and school personnel have the power to control students and force students to think in certain ways regardless of the beliefs, values, and perspectives of their parents. Ultimately, these problem representations fall into a broader problem category with a destructive foundational worldview: it is dangerous and problematic for children to learn, hear, and think about ideas that do not align with those their parents agree with or are familiar with, especially regarding sexual orientation and gender identity. These policy problematizations insidiously emphasize the idea that it is inappropriate, unnatural, and unacceptable to acknowledge or discuss non-heterosexual and cisgender orientations and identities, much less identify with them.

While the approach to queer content prohibition seen in these policies is new, the problematization of queer identity in education is not. Historically, queer identities have been marginalized, discriminated against, and feared in the United States through prohibitions of and discrimination against queer teachers (Eckes & McCarthy, 2008; King, 2004), the rationales based around protecting students from queer teachers' indoctrination (Bishop et al., 2010; Eckes & McCarthy, 2008; Jackson, 2007; King, 2004; McGovern, 2012; Rosky, 2017) paralleling tones and messages that still appear today in the discourse surrounding queer content prohibition policies. This problematization has also appeared in curricular content prohibitions, most recently the late 20th-century spate of anti-gay curriculum laws requiring teachers to counteract the promotion of homosexuality by teaching its immorality and connecting homosexuality to HIV/AIDS (Fair, 2021; Lugg, 2006; Machado, 2014; McGovern, 2012; Rosky, 2017). Queer content prohibition policies are a clear extension of these former policies, expanding the requirements beyond specific subject areas and key topics into broader, fear-based categories.

Queer identities are not the only marginalized identities in danger in schools and environments where these problematizations are addressed. While queer identity is specifically targeted in queer content prohibition policies, an underlying message of these policies is that it is dangerous and inappropriate for students to hear, learn, and think about ideas that do not align with those of their parents. Problematizing critical thinking skills, building student opportunities for independent thought, and providing opportunities for students to engage with diverse voices and

viewpoints, especially those with which they are unfamiliar, has dire consequences for public education as well as society (Garibay, 2014). For example, reading books with diverse protagonists, topics, and perspectives inspires empathy and respect, prompts curiosity, and enables students to learn about and connect with other cultures and worldviews (Hartsfield, 2021), essential skills and opportunities that are removed when specific categories and content is prohibited.

### **Problematizations and Democratic Education**

Queer content prohibition policies and the context of content prohibitions surrounding and prompted by them pose serious consequences for public education and society (Garibay, 2014). Educational leaders are the key members of a society who can “expose, name, and make contributions to resolving social injustices in education” (Apple et al., 2022, p. 246), so the problematization of school personnel is especially concerning and dangerous when it comes to the role education plays and can play in democracy.

These policy-created problematizations and the potential for drastically different interpretations of them contribute to and reflect growing levels of partisan discourse in the United States and the increasingly unavoidable inability of people from opposing political viewpoints to collaborate or communicate (Finkel et al., 2020; Van Bavel et al., 2024). Beyond the impacts of content restrictions themselves, this is demonstrated in the fundamental problematizations of these policies that suggest educators who were trained to select and implement high-quality, age-appropriate curricular content are so distrusted. Gollust et al. (2022) identified partisan conflict as one of the most dangerous and detrimental elements of our world today, citing ways partisan conflict and distrust seep into family and community life, impact interpretations of health and safety advice, and emphasize violence and conflict among individuals and groups.

As one of the goals of a democratic education is to provide students with opportunities to see other perspectives, ways of life, and to practice engaging in civil discourse about challenging topics, not to “forbid exposure” to different viewpoints for fear of “corruption” (Gutmann, 1990, p. 14), these policies directly attack and threaten the foundations of our educational system. Democratic education ideally supports the development of democratic citizens, defined as “people who are willing and able to govern their own lives and share in governing their society” (Finnegan & Fleming, 2023; Gutmann, 1993) and must include tolerance, mutual respect, and “foundations for rational deliberation of differing ways of life” (Gutmann, 1993, p. 4). Queer content prohibition policies prevent students from having opportunities to engage with challenging topics or to consider the impacts of governments and systems on people who hold multiple and different identities, directly removing the potential for education to serve these essential roles.

### **Lived Effects of Queer Content Prohibition Policy Problematizations**

Increasing levels of partisan conflict and the growing devaluation of public education are destructive and detrimental; however, there are also physical and tangible specific lived effects of these policies occurring across the country. The growth of the school choice movement has developed alongside the problematizations proposed in queer content prohibition policies. At the same time as the passage and implementation of queer content prohibition policies, states such as Iowa, Montana, and Arkansas have passed and implemented legislation supporting charter schools, removing funding from public schools, and emphasizing the ease of private and charter school enrollment, contributing to the steadily decreasing number of students enrolled in public K-12 schools (National Center for Education Statistics, 2023). Taken together with the identified problem representations emphasizing the assumption that schools and school personnel currently have the power to control students and force their beliefs, regardless of what is ultimately best for them or

what their parents, families, and communities value, the growing distrust of public education and public educators is clear and emphatic (Kang, 2022; Pondiscio, 2022).

One of the most striking representations of these lived effects is poll data from the Public Religion Research Institute reflecting dramatic shifts in public perceptions of queer protections and rights between 2022 and 2024. See Table 3 for comparative percentages of anti-discrimination protections for queer people.

**Table 3**

*Public Support of Anti-Discrimination Protections for Queer People in 2022 and 2024*

| Location        | 2022 | 2024 |
|-----------------|------|------|
| Arkansas**      | 74%  | 60%  |
| Florida*        | 80%  | 73%  |
| Indiana*        | 78%  | 70%  |
| Iowa**          | 85%  | 73%  |
| Kentucky        | 73%  | 72%  |
| Louisiana*      | 80%  | 68%  |
| Montana*        | 72%  | 67%  |
| New Hampshire** | 88%  | 78%  |
| North Carolina  | 76%  | 77%  |
| Ohio            | 80%  | 76%  |
| Tennessee       | 71%  | 67%  |
| Wyoming*        | 74%  | 65%  |

*Note.* Data from Public Religion Research Institute, 2022 and 2024.

\*Percentages that fell 5% or more. \*\*Percentages that fell 10% or more.

Across all states, public support for anti-discrimination protections for LGBTQ+ people fell between 2022 and 2024, drastically in some cases. These numbers not only reflect the likelihood of queer people living and working in increasingly unsupportive environments, they also demonstrate a growing concern for how the general population will choose to vote and what politician priorities will play into their voting decisions. These perceptions do not exist in a vacuum: in a January 2024 poll conducted by GLAAD, 49% of LGBTQ voters reported “experiencing real-world harassment or bullying caused by the current state of political discourse in our country” with 72% of LGBTQ voters reporting that the current state of political discourse negatively impacts their mental health and well-being (GLAAD, 2024). Additionally, the Supreme Court’s decision in *Mahmoud v. Taylor* (2025), requiring parental notification of specific text titles and providing them with the right to remove their students from curricular content, supports the growing movement limiting queer representation and increasing parental control over classroom content and student options.

### Increased Queer Student Mental Health Concerns

The fear and vulnerability felt and demonstrated in the discourse from policy opponents and district stakeholders is well-founded and terrifyingly unacknowledged by policymakers. Queer students are the most directly impacted by the passage and implementation of queer content prohibition policies. The Trevor Project’s 2023 National Survey on the Mental Health of LGBTQ Young People reported 41% of LGBTQ youth considered suicide in the past year, with nearly 2 out of 3 LGBTQ youth reporting that hearing about legislation banning discussion of LGBTQ topics

made their mental health worse. The report also cites 53% of LGBTQ youth reported being verbally harassed due to their sexual orientation or gender identity, with 27% reporting physical threats or violence because of their sexual orientation or gender identity, and an overwhelming 60% of LGBTQ youth feeling discriminated against due to their sexual orientation or gender identity. All these rates are significantly higher for transgender and nonbinary student subgroups.

Reported hate crimes against queer students have spiked dramatically in recent years, and the number of calls to The Trevor Project hotline have more than doubled between 2022 and 2023 (Meckler et al., 2024). While this nationwide data reflects the disturbing trends in increased levels of violence and harassment against queer students, the numbers are even more extreme in states that have passed and implemented queer content prohibition policies and other anti-queer legislation. According to a Washington Post report based on FBI data, states that saw the passage and implementation of anti-trans and anti-queer legislation also reported a 351% increase in reported hate crimes in K-12 schools between 2019 and 2022 as compared to a 104.5% increase in states without those laws (Meckler et al., 2024).

One of the most effective ways to support and prioritize queer student mental health is to create safe and accepting spaces (Trevor News, 2023); queer content prohibition policies are doing the opposite. While some states are increasing or implementing legal protections for queer people and explicitly promoting the inclusion of queer content and conversations in classrooms and the rates of violence against queer students is clearly higher in states with queer content prohibition policies, the fears created and inspired by queer content prohibition policies do not end and begin with state lines. The rise in proposed and passed queer content prohibition policies throughout the country demonstrates the ephemeral nature of protections for queer communities, leading to underlying fears regardless of current location (Tassone, 2024).

### **Policy Recommendations**

While legal attempts to remove queer content prohibition policies in Iowa and Florida have not been successful (GLSEN, 2026), policymakers in other states have taken steps to ensure their schools, educational professionals, and students are not held to the same discriminatory policy standards as those in states with queer content prohibition policies. Seven states have curricular standards laws that require curriculum include “affirming representation” of queer people in K-12 schools (GLSEN, 2026), providing models for policymakers to constructively address the challenges created by queer content prohibition policies and attitudes. Continued work to withdraw queer content prohibition policies is essential, as is continuing to support policies and policymakers that value inclusion, support elevating diverse voices and perspectives, and work to ensure safe spaces for all students.

### **Practical Recommendations**

Practically, teachers and school personnel in states with passed or implemented queer content prohibition policies are in need of emotional and tangible support as they work to continue teaching and caring for queer youth in classrooms where such work no longer feels safe. Queer students, the most vulnerable group impacted by these policies, need supporters in their schools and communities to create, identify, highlight, and protect safe spaces, literally and systemically. This could include creating or recommending new systems for providing opportunities for communication and camaraderie, building an awareness of online options for mental health support such as the Trevor Project, and having opportunities to connect and communicate with school personnel who continue to provide safe spaces for students to explore and share their authentic selves.

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## education policy analysis archives

Volume 34 Number 85

October 6, 2026

ISSN 1068-2341

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