

Florida's law limiting LGBTQ discussion in schools, explained

By [Amber Phillips](#)

Staff writer

April 1, 2022 | Updated April 8, 2022 at 6:50 p.m. EDT



Listen to article 6 min

This month, Florida Gov. Ron DeSantis (R) signed into law a measure, the Parental Rights in Education bill, that critics have successfully labeled the “Don’t Say Gay” law.

It certainly aims to limit LGBTQ discussion in schools. But it’s also on the front lines of the battle over how much say parents should have in their children’s education — and it raises questions of how much schools should act as a support system for students, period.

Here are three big things the law does, why they’re controversial and the effect it could have on students.

What does Florida’s law do?

1. It bans instruction or classroom discussion about LGBTQ issues for kindergarten through third grade. For older students, discussion about gay and transgender issues has to be “age appropriate or developmentally appropriate.”

The law is effectively a statement that classroom education about sexual orientation and gender shouldn’t start at an early age, and that parents should have final say about what their children learn and when. It aims to “reinforce the fundamental right of parents to make decisions regarding the upbringing and control of their children,” according to the text of the legislation.

What impact that could have on students:

For one, sex education has already been banned in Florida (as in many states) until the fifth grade. So critics say the law tries to solve a problem that doesn't exist for the state's youngest students. Because it limits even discussions about LGBTQ issues, it could stifle conversations for children who need to work through their own gender or sexual-identity questions, they say.

"It begs the question of whether a teacher having a picture of a partner on their desk, or being asked to be referred to as Mr. or Mrs., if that counts as classroom instruction on gender identity," said Brandon Wolf, with the LGBTQ advocacy group Equality Florida.

2. It empowers parents to sue the school district over teachings they don't like. And the district will have to pay for it.

What impact that could have on students:

That could prompt schools to preemptively shut out teachings or conversations about LGBTQ issues. Some librarians across the country are accusing their schools of quietly removing race- and LGBTQ-related books from their shelves before it starts a fight, [The Washington Post](#) recently reported.

"Cash-strapped school districts can't afford to test the bounds of a law like this," Wolf said, citing reports that some schools in the state have started to peel off rainbow safe-space stickers from windows. "It's the chilling effect that is a natural implication of this legislation."

3. It requires schools to tell parents when their child receives mental health services.

What impact that could have on students:

It could take away a school's ability to serve as a haven for students who might not feel comfortable talking to their parents about their gender orientation or sexuality.

But proponents say it would ensure parents are informed if their child is experiencing confusion over their identity. One of the advocates for the bill is a Florida mother who says her child's school recognized her child's gender identity as different from the one they recognized at home.

Why this bill has drawn so much controversy

LGBTQ advocates say this legislation furthers efforts to paint LGBTQ people as "other," or even dangerous. This law comes at a time when the culture wars led by the right are catching fire with the base, but also as [more young Americans than ever](#) identify as LGBTQ.

DeSantis in particular has used language that seems to villainize people who oppose — and in his view, misrepresent — the law: "They have to lie because if they admitted what they were really for, sexualizing kindergartners," he said in an interview with Fox News's Tucker Carlson. "...[T]hey know that would not fly with the public."

His press secretary accused opponents of "grooming" young kids.

Christina Pushaw   @ChristinaPushaw · Mar 4, 2022 

The bill that liberals inaccurately call "Don't Say Gay" would be more accurately described as an Anti-Grooming Bill.

Christina Pushaw  

Christina Pushaw

@ChristinaPushaw

If you're against the Anti-Grooming Bill, you are probably a groomer or at least you don't denounce the grooming of 4-8 year old children. Silence is complicity. This is how it works, Democrats, and I didn't make the rules.

6:33 PM · Mar 4, 2022



2.8K



Reply



Share

[Read 1.4K replies](#)

That language fits into a broader Republican narrative of accusing opponents of supporting pedophilia. It was a main Republican line of questioning against President Biden's Supreme Court nominee, Judge Ketanji Brown Jackson, though her sentences in child pornography cases fell within the judicial mainstream.

"If you want to go after somebody and make them the worst person possible — make them look like they are evil incarnate — then 'you're soft on child molesting' is a great way to go," said Joseph Uscinski, a researcher of extreme ideologies at the University of Miami.

Gay rights groups sued Florida over the law, arguing that it violates the constitutionally protected rights of free speech, equal protection and due process of students and families.

How this bill pushes the lines on the parental-rights debate

Proponents argue that parents, above all else, should be in charge of what subjects their children are exposed to and when.

This argument falls neatly in line with the right's opposition to mask and vaccine mandates in schools. The right also pushed back against certain school discussions about race after the protests in the wake of George Floyd's killing.

Florida has been at the forefront of all this: It banned conversations in schools that make someone feel "guilt" about their race, as well as teachings on critical race theory (an academic construct that conservatives have used as a catchall term to describe conversations about race they find offensive).

When framed through the lens of that broader parental-rights debate, this bill to restrict discussion of LGBTQ issues isn't that unpopular.

A February poll from the University of North Florida found that 40 percent of Floridians approved of the legislation when they were told that the bill reads like this: "Another bill before the Florida Senate would prohibit school districts from encouraging discussion about sexual orientation or gender identity in grades K-5, or in a way that is age or developmentally inappropriate." That's a significantly high percentage in support of a law that its opponents deride as extreme. (Forty-nine percent disapproved.)

What effect is this having on the rest of the country?

About half a dozen conservative-led states seem poised to pass their own version of Florida's law.

This week, Gov. Kay Ivey (R) signed Alabama's version into law, as an amendment attached to restrictions on what bathrooms transgender people can use.

Ohio Republicans recently introduced a bill that, like Florida's law, would ban instruction or class materials about sexual orientation and gender identity until the third grade.

A bill working its way through the Tennessee legislature would prevent schools from using textbooks or materials that "promote, normalize, support, or address lesbian, gay, bi-sexual, or transgender issues or lifestyles."

A Louisiana bill, introduced in March, would prevent any instruction about sexual orientation or gender identity through eighth grade, and prohibit all public school teachers from talking about their own sexual orientation or gender identity.

And in Texas, which has tried to authorize abuse investigations into parents whose children receive gender transition therapy, the state's lieutenant governor said passing a version of Florida's law is now a top priority.

This has been updated with the latest news.