Laws that Prohibit the “Promotion of Homosexuality”: Impacts and Implications

State law and policy play a critical role in the U.S. education system and can influence not only how schools are funded and governed, but also the climate of the school itself, and students’ experiences.

For example, students in states with comprehensive anti-bullying laws face less hostile educational environments, and these laws help to ensure the safety of students most at-risk of peer victimization, such as lesbian, gay, bisexual, transgender, and queer (LGBTQ) youth.

Unfortunately, not all education laws work to protect the rights and welfare of every student. In fact, certain state laws may stigmatize LGBTQ students and, in turn, negatively affect their education and well-being.

A number of states explicitly prohibit the positive portrayal of homosexuality in schools through specific education laws, often referred to as “no promo homo” laws because they mandate “no promotion of homosexuality”. Among these laws, some simply stipulate a restriction of any representation of homosexuality, and some actively stipulate a restriction on positive representations, meaning that one could teach about homosexuality but only in a negative manner.

In cases where the law prevents any representation of homosexuality, LGBQ students may feel invisible as they are prevented from learning information about themselves and their communities in school. In cases where the law prevents positive portrayals of homosexuality and/or promotes negative portrayals, LGBTQ students may receive negative messages about themselves, leaving them feeling stigmatized and alienated. In addition, other students may not have the opportunity to learn accurate information about LGBTQ people, history, or events that could potentially prevent prejudices, increase acceptance, and lead to a decrease in biased incidents in school.

While “no promo homo” laws do not necessarily preclude educators from portraying transgender people and issues in school, educators who are prohibited from presenting homosexuality in a positive light may believe these prohibitions apply to transgender people and issues as well. Thus, we believe that “no promo homo” laws may also stigmatize transgender individuals and restrict transgender youth from learning about themselves and their communities in school.

School staff, particularly those who are not educated on the parameters of the law, may avoid including LGBTQ topics not only in sexual health education, but also in other courses and may refrain from demonstrating public support of LGBTQ students for fear of violating the law. “No promo homo” laws may also have a detrimental effect on various other supportive actions that could be taken by educators, administrators, and students, such as establishing of a Gay-Straight Alliance (GSA) or similar student club or providing staff training on LGBTQ topics.
As of January, 2018, there are 7 states that have “no promo homo” laws: Alabama, Arizona, Louisiana, Mississippi, Oklahoma, South Carolina, and Texas. In addition, Utah also had a “no promo homo law” until mid 2017 when it was repealed. Although their law has been repealed, Utah is included as a “no promo homo” law state in this Research Brief because the law was in effect during the time the data discussed in this Brief were collected.

In total, these laws affect almost 10 million public school students (see Table on page 1). The following are a few examples of “no promo homo” laws.

- Alabama: Sexual health education must “emphasize, in a factual manner and from a public health perspective, that homosexuality is not a lifestyle acceptable to the general public and that homosexual conduct is a criminal offense under the laws of the state.”

- South Carolina: Health education “may not include a discussion of alternate sexual lifestyles from heterosexual relationships including, but not limited to, homosexual relationships except in the context of instruction concerning sexually transmitted diseases.”

- Arizona: AIDS education shall not “include in its course of study” instruction which…(1) promotes a homosexual life-style…(2) portrays homosexuality as a positive alternative life-style…(3) suggests that some methods of sex are safe methods of homosexual sex.”

Figure 1: Map of State “No Promo Homo” Laws (as of January, 2018)
This Research Brief examines how these laws may impact the school climate for LGBTQ students, particularly through examining their access to LGBTQ-related resources and supports, using data from two recent GLSEN surveys, *The 2015 National School Climate Survey: The Experiences of Lesbian, Gay, Bisexual, Transgender, and Queer Youth in Our Nation’s Schools*,10 and *From Teasing to Torment: School Climate Revisited, A Survey of U.S. Secondary School Students and Teachers*,11 as well as data from the Centers for Disease Control and Prevention’s (CDC) *School Health Policies and Practices Study*.12

**Finding: LGBTQ youth attending school in states with “no promo homo” laws face a more hostile school climate than other LGBTQ students.**

Although previous research has demonstrated that, in general, LGBTQ students face hostile environments at school, we find this to be particularly true in states with “no promo homo” laws. Specifically, LGBTQ students in “no promo homo” states are:

- Less likely to find peers that are accepting of LGBTQ people compared to LGBTQ students in other states (39.4% vs. 51.1%);13
- More likely to hear homophobic remarks (see Figure 2), e.g., 75.9% of students who attended schools in states with a “no promo homo” law heard the word “gay” used in a negative way “sometimes,” “often,” or “frequently” compared to 65.9% of students in other states; and14
- More likely to face harassment and assault at school based on their sexual orientation and gender expression (see Figure 3), e.g., 35.1% of students who attended schools in states with a “no promo homo” law experienced higher levels of harassment or assault compared to 26.0% of students in other states.15,16

**Figure 2. Frequency that LGBTQ Students Hear Homophobic Remarks at School by “No Promo Homo” Law**

(percentage of LGBTQ students who reported hearing remarks “sometimes,” “often,” or “frequently”)

<table>
<thead>
<tr>
<th>Remarks</th>
<th>No Promo Homo States</th>
<th>Other States</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Gay” used in a negative way</td>
<td>75.9%</td>
<td>65.9%</td>
</tr>
<tr>
<td>“No homo”</td>
<td>47.8%</td>
<td>37.2%</td>
</tr>
<tr>
<td>Other homophobic remarks</td>
<td>66.9%</td>
<td>57.3%</td>
</tr>
</tbody>
</table>

**Figure 3. Frequency that LGBTQ Students Experience Victimization by “No Promo Homo” Law**

(percentage of LGBTQ students who reported higher levels of victimization)

<table>
<thead>
<tr>
<th>Orientation/Gender Expression</th>
<th>No Promo Homo States</th>
<th>Other States</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sexual Orientation</td>
<td>35.1%</td>
<td>26.0%</td>
</tr>
<tr>
<td>Gender Expression</td>
<td>32.8%</td>
<td>26.2%</td>
</tr>
</tbody>
</table>
Finding: LGBTQ students from “no promo homo” states report less access to LGBTQ-inclusive curricular resources.

"No promo homo" laws are designed to restrict instruction and limit school expressions of support for LGBTQ people or issues. Thus, schools in these states may provide fewer of the resources necessary for ensuring safe learning environments and equal access to education for LGBTQ youth, such as an LGBTQ-inclusive curriculum.

Our prior research has documented how exposure to an LGBTQ-inclusive curriculum can create more affirming and welcoming schools for all students and provide valuable benefits to LGBTQ students in particular. When LGBTQ students see themselves reflected in the curriculum they are more engaged in their learning, resulting in increased educational success. Teaching about LGBTQ topics may also help to dispel myths and stereotypes held by the general student body, resulting in a safer and more accepting school climate. Unfortunately, “no promo homo” laws expressly forbid teachers of some subjects from discussing LGBTQ issues at all or discussing them in a positive manner.

Some states even require that teachers actively portray LGBTQ people in a negative or inaccurate way. Therefore, we examined whether LGBTQ students differed based on whether or not their state had a “no promo homo” law in their exposure to positive representations of LGBTQ people, history, or events in their school curriculum, and in their access to information about LGBTQ topics that teachers may not be addressing in class, such as library materials and content via the internet. Although LGBTQ curricular inclusion is quite low throughout the U.S. overall, we found that these curricular resources are even less common in “no promo homo” states, as shown in Figure 4:

- LGBTQ students in “no promo homo” states were less likely to report that their classes included positive representations of LGBTQ people, history, or events (13.8% vs. 24.0% of LGBTQ students in other states), but more likely to report that they were taught negative things about LGBTQ people and topics (22.6% vs. 17.0%);
- LGBTQ students in “no promo states” were less likely to report that they could find books or information on LGBTQ-related topics in their school library (33.9% vs. 43.7%); and
- LGBTQ students with internet access at school in “no promo homo” states were less likely to be able to access LGBTQ-related information via school computers (63.3% vs. 80.5%).

Figure 4. Availability of LGBTQ-Related Curricular Resources by “No Promo Homo” Law (percentage of LGBTQ students who reported having resources)
Finding: Teachers in “no promo homo” states are less likely to incorporate LGBTQ topics into the curriculum and less likely to engage in other activities supportive of LGBTQ students.

The express purpose of “no promo homo” laws is to prevent teaching about LGB people or issues in a positive manner, or in some cases, to prevent any instruction on LGB topics at all. Although many of these laws only explicitly apply to sexual health education, their influence may spill over into other areas of instruction, having a chilling effect on LGBTQ curricular inclusion more broadly. As reported above, LGBTQ students in “no promo homo” states were less likely to report receiving instruction that portrayed LGBTQ people and topics in positive ways. We also found that teachers themselves who were in “no promo homo” states were less likely to report including LGBTQ topics in their curriculum than those in other states. Specifically, middle and high school teachers in “no promo homo” states were half as likely to report that they included LGBTQ topics in their curriculum than teachers in states without such laws (8.4% vs. 16.2%, see Figure 5).23

In addition to including LGBTQ content in curriculum, there are other meaningful ways that educators can demonstrate support or advocate on behalf of LGBTQ students, such as displaying visible signs of LGBTQ support (e.g., Safe Space posters) or raising awareness of these issues among their fellow educators. However, as “no promo homo” laws direct educators on what can and cannot be addressed in classrooms, these laws might influence how educators exhibit this type of support. We found that educators in “no promo homo” states were less likely to engage in these supportive efforts.24 Specifically, middle and high school teachers in “no promo homo” states (see Figure 5) reported being:

- Less likely to educate other school staff about LGBTQ issues or advocate for additional professional development on LGBTQ issues compared to teachers in other states (5.1% vs 10.5%), and
- Less likely to display visual signs of support for LGBTQ people in their classroom or office (6.2% vs 13.1%).

Figure 5. Secondary Teachers’ Engagement in LGBTQ-Supportive Practices by “No Promo Homo” Law (percentage of middle/high school teachers reporting)
Even when educators want to include LGBTQ topics in their classrooms or demonstrate support for LGBTQ students, they may feel they have limited authority to do so. This may be particularly true in states with “no promo homo” laws, as they may provide less autonomy in these types of curricular matters. We found that secondary teachers in “no promo homo” states were more likely to report that they did not engage in efforts to support LGBTQ students because they did not have the autonomy to address subjects outside of the curriculum (21.9% vs 14.0% of teachers in other states).

Finding: LGBTQ students from “no promo homo” states are less likely to feel supported by the educators in their schools.

Educators can help ameliorate some of the negative effects of the hostile climate that many LGBTQ students face by being actively supportive and accepting of LGBTQ students. Research has demonstrated that when LGBTQ students have supportive educators, they are more engaged and fare better in school. Yet, we found that teachers in “no promo homo” states were less likely to engage in behaviors that support LGBTQ students, such as teaching about LGBTQ topics or displaying a Safe Space sign. When “no promo homo” laws prevent teachers or school administrators from discussing LGBTQ issues or even demonstrating support for LGBTQ students, LGBTQ students may believe that they cannot or should not talk to them about LGBTQ issues. Educators’ silence on these issues may make LGBTQ students hesitant to report harassment or bullying, ask questions, or discuss their own lives for fear that school personnel would not be accepting or may even be outwardly hostile. Furthermore, the position school administrators may be particularly influential in teachers’ decisions of whether or not to engage in certain LGBTQ-supportive behaviors. In fact, one reason educators have cited for not engaging in certain visible actions, such as displaying supportive signs or serving as a GSA advisor, is administrative resistance or prohibition. Therefore, we examined differences in indicators of teacher and administrative support as reported by LGBTQ students and found that support of LGBTQ students in “no promo homo” states appeared to be demonstrably lower, as indicated below and in Figure 6.

- LGBTQ students in “no promo homo” states reported fewer supportive educators in their schools. Only half (50.2%) of LGBTQ students in “no promo homo” states reported having many supportive educators (6 or more) compared to 66.3% of LGBTQ students in other states.

- LGBTQ students in “no promo homo” states reported having less supportive administration. Less than a quarter (23.5%) of LGBTQ students in “no promo homo” states reported that their school administration was supportive of LGBTQ students compared to 39.2% of LGBTQ students in other states.

- LGBTQ students in “no promo homo” states reported feeling somewhat less comfortable talking with teachers about LGBTQ issues. Only about half (52.4%) of LGBTQ students in “no promo homo” states reported they would be “somewhat” or “very comfortable” talking with a teacher about these issues compared to 59.0% of LGBTQ students in other states.
Finding: LGBTQ students from “no promo homo” states are less likely to report attending schools with supportive anti-bullying policies.

School policies that address in-school bullying, harassment, and assault can be powerful tools for creating school environments where students feel safe, particularly if these policies can explicitly enumerate protections based on personal characteristics, such as sexual orientation and gender identity/expression. When a school has and enforces an enumerated policy, it can send a message that bullying, harassment, and assault are unacceptable and provide students with greater protection because they make clear the various forms of victimization that will not be tolerated. However, the potential for supportive policies may be hindered in states with a “no promo homo” law. We found that LGBTQ students in “no promo homo” states were less likely to report that their school’s anti-bullying policies were LGBTQ-inclusive; 8.2% LGBTQ students in “no promo homo” states reported their school or district had an anti-bullying/harassment policy that enumerated sexual orientation and gender identity or expression compared to twice as many (16.6%) LGBTQ students in other states.

Finding: LGBTQ students in “no promo homo” states had less access to supportive student clubs, such as Gay-Straight Alliances.

Student clubs that address LGBTQ student issues, often known as Gay-Straight Alliances or Gender and Sexuality Alliances (GSAs), can provide essential social and emotional support to LGBTQ students and, through education and advocacy, can serve to improve school climate as a whole. We found that the development and support of these clubs may also be hindered by “no promo homo” laws. Although GSAs and similar clubs are student initiated, generally student clubs require a staff advisor, and in “no promo homo” law states, educators may be wary of demonstrating support for LGBTQ students by serving as advisors for these clubs for fear that they may be or may be perceived as being in violation of these laws. It is also possible that school leadership may believe the presence of these clubs are in violation of the law and try to prevent them from existing. Restricting the availability of these clubs are another way that “no promo homo” laws may impact LGBTQ students.

We examined differences between “no promo homo” states and other states in the availability of GSAs
in school as reported by LGBTQ students and school administrators, as well as the difference in the percentage of teachers who served as a GSA advisor. As shown in Figure 7, we found that states with “no promo homo” laws were less likely to have GSAs or have teachers who advised these types of student clubs.

- Less than a third (29.7%) of LGBTQ students in “no promo homo” states reported that their school had a GSA compared to well over half (58.6%) of LGBTQ students in other states.\(^{32}\)
- 7.6% of school administrators in “no promo homo” states reported that their school had a GSA or similar club, compared to more than double (16.8%) of administrators in other states.\(^{33}\)
- Teachers in “no promo homo” states were less likely to serve as GSA advisors (0.6% vs 4.9%).\(^{34}\)

Finding: LGBTQ students from “no promo homo” states have less access to relevant health resources in school.

A growing body of research indicates that LGBTQ youth are more likely than non-LGBTQ youth to engage in behaviors that put their health at risk, and a lack of inclusive education has been identified as a contributing factor in this disparity. Either by design or interpretation, “no promo homo” laws may result in district or school officials preventing LGBTQ-content not only in health instruction, but also in the broader range of health services that schools may provide. This may result in school health programs being unresponsive to LGBTQ students’ needs and school health professionals unprepared to serve LGBTQ students. To examine this, we used data from CDC’s 2014 School Health Policies and Practices Study (SHPPS) and assessed the extent to which health services and resources were available in schools in states with “no promo homo” laws. It is important to note that because the
SHPPS does not ask about transgender-inclusion, these findings only tell us about LGBQ-inclusion in health services, not about transgender inclusion. Findings indicate that schools in “no promo homo” states provided less LGBQ-inclusive health resources than those in other states (see Figure 8).

- School health professionals (e.g., school nurses) in states with “no promo homo” laws were half as likely to report that their school provided health/medical and mental health/social services specific for lesbian, gay, and bisexual (LGB)\textsuperscript{35} students at school compared to schools in other states (13.9% vs. 28.8%).

- School health professionals in states with “no promo homo” laws were far less likely to report having had any professional development related to LGB issues in the last two years, compared to health professionals in other states (1.7% vs. 14.9%).\textsuperscript{36}

- School health professionals working in “no promo homo” states were three times more likely to indicate that they wanted more professional development on these issues (15.3% vs 5.1%).\textsuperscript{37}

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{figure8.png}
\caption{School Health Services and Staff PD re LGB Students by “No Promo Homo” States (percentage of school health professionals reporting)}
\end{figure}

**Finding:** When accounting for demographics, school characteristics, region, and state education expenditures, schools in states with “no promo homo” laws still evidenced more hostile environments and less access to LGBTQ-supportive resources. After accounting for public attitudes, LGBTQ-supportive resources still remained less common in “no promo homo” states, whereas student anti-LGBTQ biased-behaviors were no longer more common in “no promo homo” states.

States vary in the demographic makeup of their population and both student and educator experiences vary by their own personal identities. Similarly, states differ as to the makeup of presence of types of schools (public, private, religious) and the areas where they are located (rural, urban, suburban). Therefore, in order to ensure that the differences we found between states with “no promo homo”
laws and those without such laws were not due to these demographic (e.g., gender, race, age, and free/reduced price lunch eligibility) or school differences (type, locale), we conducted additional analyses that accounted for these characteristics. Given that the availability of school resources may be influenced by the funding available to schools and by geographic region, we also accounted for differences in state education spending per pupil in our analyses and the geographic region in which the states were located (East, South, Midwest, West). Lastly, the overall political climate in a state may influence not only the laws passed, but also the behaviors of students and school personnel, as well as the policies and practices of schools in that state. Thus, we also examined whether the political leanings of the state (percent of population in state identifying as politically conservative) explained the differences between states with “no promo homo” laws and states without.

These additional analyses revealed that, regardless of differences in their personal demographics, school characteristics, region, or state education spending, LGBTQ students in states with “no promo homo” laws were more likely than other LGBTQ students to experience more hostile school climates — more homophobic remarks, more anti-LGBTQ victimization, and less peer acceptance. However, once we accounted for states' political leanings, there were no longer differences in most of the indicators of anti-LGBTQ behaviors from other students. Only the differences regarding the expression “no homo” remained, it was still more common in states with “no promo homo” laws, even after controlling for state political leanings. These findings indicate that public attitudes regarding these topics may be more influential than state laws in affecting students. Therefore, public education campaigns to increase acceptance of LGBTQ people might be one effective strategy to help reduce biased behavior in schools.

In regards to school supports, overall, we found that schools in states with “no promo homo” laws provided less access to LGBTQ-supportive school resources and LGBTQ-inclusive health supports, regardless of student demographics, teacher demographics, school characteristics, and state characteristics, including political climate. Specifically, we found that even after accounting for these differences between states, LGBTQ students in “no promo homo” states still reported:

- Fewer educators who were supportive of LGBTQ students;
- Lower levels of comfort talking to teachers about LGBTQ issues; and
- Less access to LGBTQ-inclusive curricula, GSAs, comprehensive anti-bullying policies, inclusive library resources and internet access to LGBTQ-related sites/resources.

Furthermore, after accounting for these various demographic, school, and state factors, secondary teachers in “no promo homo” states:

- Reported less inclusion of LGBTQ people and topics in their curriculum; and
- Were less likely to report having educated other staff on LGBTQ issues.

In addition, after accounting for these factors, health professionals in “no promo homo” states continued to be:
Less likely to report that their school provided in-school health or mental health services specific to LGB students;

Less likely to have had professional development on LGB students in past two years; and

More likely to want to have professional development on LGB student topics.

However, differences in secondary teachers’ reports of displaying signs of LGBTQ student support or in serving as a GSA advisor did remain after accounting for their demographics, school characteristics, region and state education spending, but did not once we accounted for state political climate. After accounting for political leanings across states, there were also no longer differences between “no promo homo” states and other states in LGBTQ students’ reports of a supportive administration. It may be that school administrators are more likely than teachers to reflect and/or uphold the political beliefs of their community, regardless of any specific state laws.
CONCLUSIONS AND RECOMMENDATIONS

This research indicates that LGBTQ students who attend school in states with a “no promo homo” law face more hostile school environments and have less access to the resources and supports that are crucial to their safety, well-being, and academic success, as compared to LGBTQ students in states without such laws. Our research demonstrates that these differences persist even when accounting for the differences between states in student or teacher demographics, school characteristics, region, and state educational expenditures. However, when accounting for states’ political attitudes, the differences between “no promo homo” states and other states in reports of students’ biased behaviors no longer remained. Nevertheless, regardless of political leanings, LGBTQ students in “no promo homo” states were less likely to have LGBTQ-supportive school resources and teachers in those states were less likely to educate about LGBTQ topics with their students and other staff. Furthermore, school health professionals in “no promo homo” states were less likely to report LGB-inclusive services or professional development, even after accounting for political leanings of states. Thus, in contrast to the findings regarding peer behaviors indicating that these behaviors which may be more affected by attitudes, these findings about school supportive resources suggest that “no promo homo” laws appear to have an effect on the presence of many LGBTQ-inclusive school resources, even after accounting for public attitudes.

Findings from this brief underscore the barriers to developing safe and more affirming educational environments for LGBTQ students who attend school in states that have enacted “no promo homo” laws. However, it is also worth noting that even in these states, where it is conceivable that students would not receive any affirming instruction about LGBTQ people or topics, there are students who report at least some LGBTQ inclusion in their curriculum and some teachers who found ways to include LGBTQ topics. Perhaps some teachers simply better understand the specific reach of these laws (e.g., in some cases only applying to sex education), while others are interpreting it more broadly than required. Regardless, it is clear that some educators are finding ways to teach inclusively and support LGBTQ students even in the face of these laws, and future work should explore these strategies in more depth and share them with teachers in similar circumstances.

Findings from this research brief demonstrate that the current educational environment for LGBTQ students is untenable and must improve in order to provide LGBTQ students equal access to an education. Fortunately, there is much that can be done to reduce the barriers imposed by these laws and to improve school climate for LGBTQ youth in all states.

In states with “no promo homo” laws, advocates, policymakers, educators, and other key stakeholders can:

- Work to repeal “no promo homo” laws.
- Educate district and school staff on the limited reach of the law, in order to prevent overly broad
application of the law.

- Identify and disseminate ways educators can teach inclusively within the confines of the law.
- Target LGBTQ-related professional development opportunities to school health professionals in these states, given they are less likely to have had and more likely to want such training.

In states **without “no promo homo” laws**, advocates, policymakers, educators, and other key stakeholders should work to:

- Prevent “no promo homo” legislation from passing, if it is proposed.
- Assess state department of education and local school boards/districts to determine whether there are “no promo homo” type policies in place. Work to repeal them and/or prevent new ones from being enacted.

Regardless of specific state laws, there are a variety of things every school can do to ensure that LGBTQ youth are safe, welcomed, and affirmed. Thus, **in all states**, advocates, policymakers, educators, and other key stakeholders should work to:

- Support legislation and policies that support LGBTQ youth and further safe environments in schools, such as those that include enumerated protections against discrimination and bullying, mandate equal treatment for transgender students, and enact LGBTQ-inclusive curricular standards, including those for sexual health education.
- Ensure the effective implementation of existing bullying and discrimination laws and policies in local schools and districts, including providing professional development.
- Provide access to LGBTQ-inclusive curricular resources and staff development.
- Support the development of Gay-Straight Alliances and similar student clubs.

These strategies may help to mitigate the potential harm caused by existing “no promo homo” laws and ensure that other states and districts do not enact similar policies. Furthermore, regardless of state law, schools and educators across the nation can take steps to improve hostile climates and provide LGBTQ students with a safe and affirming environment where they can thrive and succeed.
ABOUT THE RESEARCH

This research brief uses data from three sources. 1) Data on LGBTQ students comes from GLSEN’s 2015 National School Climate Survey (NSCS), a biennial survey of the experiences of LGBTQ youth in U.S. secondary schools. The final sample consisted of a total of 10,528 students from all 50 states and the District of Columbia. 2) Data on middle and high school teachers are derived from From Teasing to Torment: School Climate Revisited, A Survey of U.S. Secondary School Students and Teachers, an online survey conducted by Harris Poll, on behalf of GLSEN. The teacher sample included 1,015 U.S. secondary school teachers and was weighted to reflect the corresponding U.S. national population. 3) Data on school health services comes from the 2014 School Health Policies and Practices Study (SHPPS), a national survey periodically conducted by the Centers for Disease Control (CDC). The sample was nationally representative of U.S. elementary, middle, and high schools. See endnotes for references and further information on all three data sources.

END NOTES

1 For simplicity, throughout this report we use the acronym “LGBTQ” when referring to lesbian, gay, bisexual, transgender and queer students, as well as in reference to the LGBTQ population in general, and when referencing any particular items from GLSEN’s surveys National School Climate Survey, even when those survey items used “LGBT.” Any specific reference to “LGB” (lesbian, gay, and bisexual) or “LGBQ” (lesbian, gay, bisexual, and queer) in this research brief is done to reflect data about LGB or LGBQ people, but not about transgender people, or that assessed issues related to sexual orientation, but not gender identity.


3 As of January 2018 when this Research Brief was released, the states that prohibit the positive portrayal of homosexuality in schools are: Alabama, Arizona, Louisiana, Mississippi, Oklahoma, South Carolina, and Texas.

4 Educators’ beliefs that “no promo homo” laws apply to transgender people and issues in school may result in the increased marginalization of a population that often remains excluded and stigmatized in schools, even when compared to the LGBQ population. For example, we find that professional development, policies, and programming are less likely to include reference to transgender youth/ gender identity than they are LGB youth/sexual orientation. Furthermore, educators report less comfort and less frequency in relation to addressing bias related to transgender students than they do bias related to LGB students. See both Kosciw, J. G., Greytak, E. A., Giga, N. M., Villenas, C. & Danischewski, D. J. (2016). The 2015 National School Climate Survey: The experiences of lesbian, gay, bisexual, transgender, and queer youth in our nation’s schools. New York: GLSEN. and Greytak, E.A., Kosciw, J.G., Villenas, C. & Giga, N.M. (2016). From teasing to torment: school climate revisited, a survey of U.S. secondary school students and teachers. New York: GLSEN.


6 In October 2016, Equality Utah filed a lawsuit with the U.S. District Court for the District of Utah against the Utah State Board of Education to strike down Utah Code § 53A-13-101(1)(c)(iii)(A). In March 2017, the Utah State Legislature passed SB196, removing the language “the advocacy of homosexuality” from the law. On March 20, 2017, Governor Gary Herbert signed SB196 into law. The law goes into effect on July 1, 2017.

7 Alabama State Code § 16-40A-2(c)(8).


9 AZ Rev. Stat. § 15-716(c).


13 To compare students’ report of accepting students, a univariate analysis of variance (ANOVA) was conducted, with attending school in a “no promo homo state” as the independent variable. Results were significant: F(1, 10183) = 94.20, p<.001, ηp2 = .01 Pairwise comparisons were considered significant at p<.01. Post hoc tests indicate that students in states with “no promo homo” laws reported less access to accepting students than students in other states. Percentages are reported for illustrative purposes.

14 To test differences in hearing homophobic remarks by “no promo homo” law, a multiple analysis of (MANOVA) was conducted. The main effect for “no promo homo laws” in hearing homophobic remarks was significant: F(3, 10476) = 36.57, with “gay used in a negative way”: F(1,10478) = 36.57, p<.001, ηp2 = 01; “no homo”: F(1,10478) = 36.57, p<.001, ηp2 = 01; and “other homophobic remarks”: F(1,10478) = 36.57, p<.001, ηp2 = 01. Percentages are reported for illustrative purposes.
For purposes of analysis, we measured victimization by creating composite weighted variables for each type of victimization (sexual orientation and gender expression) based on the severity of harassment with more weight given to more severe forms of harassment. Physical assault received the most weight, followed by physical harassment, and verbal harassment. Percentages of students experiencing “higher victimization” are shown for illustrative purposes only; students with a score above the mean for the specific type of victimization were characterized as experiencing higher levels of victimization for that victimization type.

To test differences in victimization by "no promo homo law", a multiple analysis of (MANOVA) was conducted. The main effect for “no promo homo laws” in experiencing victimization was significant: \(F(2, 10162) = 22.89\), with victimization based on “sexual orientation”: \(F(1,10163) = 44.05, p<.001, \eta^2 = 0.01\); and “gender expression”: \(F(1,10163) = 33.66, p<.001, \eta^2 = 0.01\). Percentages are reported for illustrative purposes.


For example, in Texas “materials in the education programs intended for persons younger than 18 years of age must: (1) emphasize sexual abstinence before marriage and fidelity in marriage as the expected standard . . . and (2) state that homosexual conduct is not an acceptable lifestyle and is a criminal offense under Section 21.06, Penal Code.”


To compare students’ perceptions of access to LGBTQ inclusive curriculum, a univariate analysis of variance (ANOVA) was conducted, with attending school in a “no promo homo law” state as the independent variable. Results were significant: \(F(1, 10472) = x, p<.001, \eta^2 = .01\) Pairwise comparisons were considered significant at \(p<.01\). Post hoc tests indicate that students in states with “no promo homo” laws reported less access to LGBTQ-inclusive curriculum than students in other states

To compare students’ perceptions of access to LGBTQ library resources, a univariate analysis of variance (ANOVA) was conducted, with attending school in a “no promo homo state” as the independent variable. Results were significant: \(F(1, 10517) = 53.66, p<.001, \eta^2 = .01\) Pairwise comparisons were considered significant at \(p<.01\). Post hoc tests indicate that students in states with “no promo homo” laws reported less access to LGBT-related library resources than students in other states. Percentages are reported for illustrative purposes.

To compare students’ perceptions of access to LGBTQ related information on the internet, a univariate analysis of variance (ANOVA) was conducted, with attending school in a “no promo homo law” state as the independent variable. Results were significant: \(F(1, 6555) = x, p<.001, \eta^2 = .02\) Pairwise comparisons were considered significant at \(p<.01\). Post hoc tests indicate that students in states with “no promo homo” laws reported less access to LGBT-related content on the Internet than students in other states. Percentages are reported for illustrative purposes.

To test differences in LGBTQ inclusion in curriculum by teaching in a school in a state with “no promo homo” laws, we conducted a chi-square analyses. Teachers in “no promo homo” states were significantly more likely to report having included LGBTQ topics in curriculum than teachers in states without such laws, \(\chi^2 = 7.091, df = 1, p <.01, \text{Cramer's } V = .084\).

To test differences in LGBTQ supportive teacher practices by teaching in a school in a state with “no promo homo” laws, a multiple analysis of (MANOVA) was conducted. The main effect for “no promo homo laws” in teachers performing LGBT supportive practices was significant: \(F(8, 917) = 2.82, p<.01, \eta^2 = 0.02\) with serving as a GSA advisor: \(F(1,924) = 8.50, p<.001, \eta^2 = 0.01\); educating other staff about LGBT issues/advocating for professional development: \(F(1,924) = 4.31, p<.01, \eta^2 = 0.01\); and displaying visual signs of support for LGBT people: \(F(1,924) = 5.40, p<.01, \eta^2 = 0.01\). Percentages are reported for illustrative purposes.

To test differences in barriers to LGBTQ supportive teacher practices by teaching in a school in a “no promo homo state”, a multiple analysis of (MANOVA) was conducted. The main effect for “no promo homo” laws in teachers performing LGBT supportive practices was significant: \(F(9, 916) = 2.46\), with not having the autonomy to address subjects: \(F(1,924) = 9.86, p<.01, \eta^2 = 0.01\). Percentages are reported for illustrative purposes.


To compare students’ report of supportive administrators, a univariate analysis of variance (ANOVA) was conducted, with attending school in a “no promo homo” law state as the independent variable. Results were significant: \(F(1, 10087) = 188.58, p<.001, \eta^2 = 0.01\) Pairwise comparisons were considered significant at \(p<.01\). Post hoc tests indicate that students in states with “no promo homo” laws reported less access to supportive administration than students in other states. Percentages are reported for illustrative purposes.
Up to 2015, the recent National School Climate Survey was conducted in a "no promo homo" state as the independent variable. Results were significant: F(1, 10517) = 474.72, p<.001, η² = .04 Pairwise comparisons were considered significant at p<.01. Percentages are reported for illustrative purposes.

33 Using weighted data from the CDC’s School Health Policies and Practices Study (see endnote 6), reports of GSA presence in school from school administrators (principals and assistant principals) in a “no promo homo state” were compared with reports from administrators in schools in other states. Chi-square analysis indicated a significant difference χ² = 1271.40, df = 1, p<.001 Φ = .31.

34 See endnote 8.

35 Using weighted data from the CDC’s School Health Policies and Practices Study (see endnote 8), reports of school health, mental health, or social services provided specifically for LGB students in school from school health professionals (e.g., school nurses) in “no promo homo states” were compared with reports from school health professionals in other states. Chi-square analysis indicated a significant difference χ² = 943.26, df = 1, p<.001 Φ = .13.

36 Using weighted data from the CDC’s School Health Policies and Practices Study (see endnote 8), school health professionals’ reports regarding professional development in past two years on LGB students services in “no promo homo states” were compared with reports from school health professionals in other states. Chi-square analysis indicated a significant differences: received any PD on LGB student services in past 2 years: χ² = 1811.72, df = 1, p<.001 Φ = .16.

37 Using weighted data from the CDC’s School Health Policies and Practices Study (see endnote 8), school health professionals’ reports regarding whether school health professionals wanted any PD on LGB student in “no promo homo states” were compared with reports from school health professionals in other states. Chi-square analysis indicated a significant differences: χ² = 1839.84, df = 1, p<.001 Φ = .17.


40 Data on the percentage of state residents who describe their political views as conservative was obtained through Gallup’s State of the States Report. These results are based on Gallup Daily tracking interviews throughout 2016 with 177,788 U.S. adults. Gallup asks Americans whether their political views are very conservative, conservative, moderate, liberal or very liberal. The data used are based on combining the two conservative categories.

41 To examine impact of “no promo homo” laws on school climate, after accounting for demographic, school-level, and other state-level differences, we conducted a six hierarchical regression analyses. Accepting peers, biased language (i.e., so gay, no homo, other homophobic remarks), and victimization based on sexual orientation or gender expression were the dependent variables. The independent variables were entered in steps: demographic variables (gender, race, age, and free/reduced price lunch) were entered in the first step in the model, followed by school-level variables (type and locale) in the next step, state-level variables (region and state education spending per pupil) as the penultimate step, and presence of “no homo” law entered as the final step in the models.

42 Results of the hierarchical regression models (see Endnote above) for contribution of “no promo homo” law to variance on school climate variables, after controlling for demographic, school-level, and other state differences are reported for the overall model and for the specific contribution of “no promo homo” law by each school climate variable. For accepting peers: the overall model was significant (F = 60.335, df = 17, p < .001), the variable indicating presence of “no promo homo” laws was significant (t=-3.456; β=-.097; p < .01). Hearing biased remarks: the overall models were significant: gay used in a negative way (F = 49.534, df = 17, p < .001), no homo (F = 17.311, df = 17, p < .001), and other homophobic remarks (F = 49.967, df = 17, p < .001); the variable indicating presence of “no promo homo” laws was significant for the models predicting “gay” used in a negative way (t=-3.994; β=-.048; p < .001), “no homo” (t=-3.493; β=-.042; p < .01), and other homophobic remarks (t=-3.216; β=-.038; p < .01). Victimization: The overall models predicting victimization were significant – victimization based on sexual orientation (F = 25.466, df = 17, p < .001), victimization based on gender expression (F = 13.600, df = 17, p < .001), the variable indicating presence of “no homo” laws was also significant for both victimization models - sexual orientation (t=-1.961; β=-.024; p < .05), gender expression (t=-2.446; β=-.031; p < .05).

43 To examine impact of “no promo homo” laws on school climate six regression analyses were conducted assessing the likelihood of having accepting peers, hearing biased language (i.e. so gay, no homo, other homophobic remarks), and experiencing victimization based on sexual orientation or gender expression as dependent variables by the presence of “no promo homo” laws in their states. Presence of “no promo homo” laws was included as the variable of interest, with gender, race, age, and free/reduced price lunch, school type and locale, region, state education spending per pupil, and percent of the state population that describe their political views as conservative, as controls through the final step. The overall model predicting accepting peers was significant (F = 62.362, df = 18, p < .001).
The variable indicating presence of “no promo homo” laws was not significant. The overall models predicting hearing biased remarks were significant: gay used in a negative way (F = 48.444, df = 18, p < .001), no homo (F = 16.820, df = 18, p < .001), and other homophobic remarks (F = 48.542, df = 18, p < .001). The variable indicating presence of “no promo homo” laws was significant for the models predicting “gay used in a negative way (t = -2.070; β = -.026; p < .05),” and “no homo (t = -2.313; β = -.030; p < .05).” The overall models predicting victimization based on sexual orientation (F = 24.711, df = 18, p < .001) and gender expression were significant (F = 13.083, df = 18, p < .001). The variable indicating presence of “no promo homo” laws was not significant for the model predicting victimization based on sexual orientation or gender expression.

To examine impact of “no promo homo” laws on LGBTQ inclusive curriculum four regression analyses were conducted assessing the likelihood of having been taught positive representations of LGBTQ issues, taught negative representations of LGBTQ issues, access to LGBTQ library resources, and access to LGBTQ content on the internet. Presence of “no promo homo” laws was included as the variable of interest, with gender, race, age, and free/reduced price lunch, school type and locale, region and state education spending per pupil included as controls through the final step. The overall model predicting having been taught positive representations of LGBTQ issues was significant (χ² = 540.246, df = 17, p < .001). The variable indicating presence of “no promo homo” laws was significant (Wald χ² = 7.106; Exp (β) = .663; p < .001). The overall model predicting having been taught negative representations of LGBTQ issues was significant (χ² = 307.180, df = 17, p < .001). The variable indicating presence of “no promo homo” laws was significant (Wald χ² = 7.309; Exp (β) = 1.277; p < .01). The overall models predicting access to library resources (χ² = 213.480, df = 17, p < .001) and internet resources were significant (χ² = 1211.642, df = 7, p < .001). The variable indicating presence of “no promo homo” laws was significant for the models predicting library resources (Wald χ² = 8.989; Exp (β) = .801; p < .01) and internet resources (Wald χ² = 17.870; Exp (β) = .638; p < .001).

To examine impact of “no promo homo” laws on access to supportive educators, six regression analyses were conducted assessing the likelihood of having access to supportive educators, feeling comfortable talking to teachers about LGBTQ issues, educating staff on LGBTQ issues, displaying visual signs of LGBTQ support, serving as a GSA advisor, and including LGBTQ topics in their curriculum. Presence of “no promo homo” laws was included as the variable of interest, with gender, race, age, and free/reduced price lunch, school type and locale, region and state education spending per pupil included as controls through the final step. The overall model predicting access to supportive educators was significant (F = 88.212, df = 17, p < .001). The variable indicating presence of “no promo homo” laws was significant (t = 5.762; β = -.067; p < .001). The overall model predicting comfort talking to teachers about LGBTQ issues was significant (F = 33.148, df = 17, p < .001). The variable indicating presence of “no promo homo” laws was significant (t = 3.704; β = -.045; p < .001). The overall model predicting educating staff on LGBTQ issues was significant (χ² = 42.587, df = 17, p < .01). The variable indicating presence of “no promo homo” laws was significant (Wald χ² = 5.752; Exp (β) = .382; p < .05). The overall model predicting displaying visual signs of LGBTQ support was significant (χ² = 108.333, df = 17, p < .001). The variable indicating presence of “no promo homo” laws was significant (Wald χ² = 5.213; Exp (β) = .400; p < .05). The overall model predicting serving as a GSA advisor was significant (χ² = 35.859, df = 17, p < .01). The variable indicating presence of “no promo homo” laws was significant (Wald χ² = 4.211; Exp (β) = .064; p < .05). The overall model predicting including LGBTQ topics in their curriculum was significant (χ² = 55.205, df = 17, p < .001). The variable indicating presence of “no promo homo” laws was significant (Wald χ² = 6.111; Exp (β) = .442; p < .05).

To examine impact of “no promo homo” laws on access to supportive administrators, two regressions were conducted assessing the likelihood of having access to supportive administrators and having access to comprehensive policies. Presence of “no promo homo” laws was included as the variable of interest, with gender, race, age, and free/reduced price lunch, school type and locale, region and state education spending per pupil included as controls through the final step. The overall model predicting access to supportive administrators was significant (F = 46.872, df = 17, p < .001). The variable indicating presence of “no promo homo” laws was significant (t = 4.476; β = .054; p < .001). The overall model predicting access to comprehensive policies was significant (χ² = 134.493, df = 17, p < .001). The variable indicating presence of “no promo homo” laws was significant (Wald χ² = 4.453; Exp (β) = .826; p < .05).

To examine impact of “no promo homo” laws on access to health resources, six regressions were conducted assessing the likelihood of school health staff reporting in-school services for LGB students, having had PD on LGB students in past two years (health), wanting PD on LGB students (health), having had PD on LGB students in past two years (mental health), wanting PD on LGB students (mental health), referring LGB students to outside organizations. Presence of “no promo homo” laws was included as the variable of interest, with gender, race, age, and free/reduced price lunch, school type and locale, region and state education spending per pupil included as controls through the final step. The overall model predicting in-school services for LGB students was significant (χ² = 6325.922, df = 11, p < .001). The variable indicating presence of “no promo homo” laws was significant (Wald χ² = 30.489; Exp (β) = 1.224; p < .001). The overall model predicting having had PD on LGB students in past two years (health) was significant (χ² = 10720.153, df = 11, p < .001). The variable indicating presence of “no promo homo” laws was significant (Wald χ² = 1881.990; Exp (β) = 22.516; p < .001). The overall model predicting wanting PD on LGB students (health) was significant (χ² = 4908.357, df = 11, p < .001). The variable indicating presence of “no promo homo” laws was significant (Wald χ² = 2508.522; Exp (β) = 4.424; p < .001). The overall model predicting referring LGB students to outside organizations was significant (χ² = 4681.169, df = 11, p < .001). The variable indicating presence of “no promo homo” laws was significant (Wald χ² = 62.064; Exp (β) = 6.767; p < .001). The variable indicating presence of “no promo homo” laws was not significant (Wald χ² = 1247.677; Exp (β) = .442; p < .001). The overall model predicting referring LGB students to outside organizations was significant (χ² = 4681.169, df = 11, p < .001). The variable indicating presence of “no promo homo” laws was significant (Wald χ² = 62.064; Exp (β) = 6.767; p < .001).

To examine impact of “no promo homo” laws on access to GSAs, two regressions were conducted assessing the likelihood of students reporting the presence of a GSA at their school and health professionals reporting a GSA presence at their school. Presence of “no promo homo” laws was included as the variable of interest, with gender, race, age, and free/reduced price lunch, school type and locale, region and state education spending per pupil included as controls through the final step. The overall model predicting access to GSAs by students was significant (χ² = 2038.066,
To examine impact of “no promo homo” laws on LGBTQ inclusive curriculum three regressions were conducted assessing the likelihood of having been taught positive representations of LGBTQ issues, taught negative representations of LGBTQ issues, and teachers including LGBTQ topics in their curriculum. Presence of “no promo homo” laws was included as the variable of interest, with gender, race, age, and free/reduced price lunch, school type and locale, region and state education spending per pupil, and percent of the state population that describe their political views as conservative included as controls through the final step. The overall model predicting having been taught positive representations of LGBTQ issues was significant ($\chi^2 = 580.023$, df = 18, $p < .001$). The variable indicating presence of “no promo homo” laws was significant ($\chi^2 = 7011.934$, df = 11, $p < .001$). The variable indicating presence of “no promo homo” laws was not significant. The overall models teacher inclusion of LGBTQ topics in their curriculum was significant ($\chi^2 = 55.211$, df = 18, $p < .001$). The variable indicating presence of “no promo homo” laws was significant ($\chi^2 = 848.860$; Exp ($\beta$)=.446; $p < .05$).

To examine impact of “no promo homo” laws on access to GSAs, two regression analyses were conducted assessing the likelihood of students reporting the presence of a GSA at their school and health professionals reporting a GSA presence at their school. Presence of “no promo homo” laws was included as the variable of interest, with gender, race, age, and free/reduced price lunch, school type and locale, region and state education spending per pupil, and percent of the state population that describe their political views as conservative included as controls through the final step. The overall model predicting access to GSAs by students was significant ($\chi^2 = 2133.264$, df = 18, $p < .001$). The variable indicating presence of “no promo homo” laws was significant ($\chi^2 = 4.363$; Exp ($\beta$)=.526; $p < .001$). The overall model predicting access to GSAs by health professionals was significant ($\chi^2 = 7061.352$, df = 12, $p < .001$). The variable indicating presence of “no promo homo” laws was not significant. The overall models teacher inclusion of LGBTQ topics in their curriculum was significant ($\chi^2 = 55.211$, df = 18, $p < .001$). The variable indicating presence of “no promo homo” laws was significant ($\chi^2 = 848.860$; Exp ($\beta$)=.446; $p < .05$).

To examine impact of “no promo homo” laws on access to supportive administrators, two regressions were conducted assessing the likelihood of having access to supportive administrators and having access to comprehensive policies. Presence of “no promo homo” laws was included as the variable of interest, with gender, race, age, and free/reduced price lunch, school type and locale, region and state education spending per pupil, and percent of the state population that describe their political views as conservative included as controls through the final step. The overall model predicting access to supportive administrators was significant ($F = 47.471$, df = 18, $p < .001$). The variable indicating presence of “no promo homo” laws was not significant. The overall model predicting access to comprehensive policies was significant ($\chi^2 = 134.895$, df = 18, $p < .001$). The variable indicating presence of “no promo homo” laws was significant ($\chi^2 = 848.860$; Exp ($\beta$)=.446; $p < .05$).

To examine impact of “no promo homo” laws on access to library resources two regressions were conducted assessing the likelihood of having access to library and internet resources. Presence of “no promo homo” laws was included as the variable of interest, with gender, race, age, and free/reduced price lunch, school type and locale, region and state education spending per pupil, and percent of the state population that describe their political views as conservative included as controls through the final step. The overall models predicting access to library resources ($\chi^2 = 216.702$, df = 18, $p < .001$) and internet resources were significant ($\chi^2 = 358.829$, df = 18, $p < .001$). The variable indicating presence of “no promo homo” laws was significant for the models predicting library resources ($\chi^2 = 5.123$; Exp ($\beta$)=.838; $p < .05$) and internet resources ($\chi^2 = 6.111$; Exp ($\beta$)=.442; $p < .01$).

To examine impact of “no promo homo” laws on access to supportive educators, five regression analyses were conducted assessing the likelihood of having access to supportive educators, feeling comfortable talking to teachers about LGBTQ issues, educating staff on LGBTQ issues, displaying visual signs of LGBTQ support, serving as a GSA advisor, and including LGBTQ topics in their curriculum. Presence of “no promo homo” laws was included as the variable of interest, with gender, race, age, and free/reduced price lunch, school type and locale, region and state education spending per pupil included, and percent of the state population that describe their political views as conservative as controls through the final step. The overall model predicting access to supportive educators was significant ($F= 87.012$, df = 18, $p < .001$). The variable indicating presence of “no promo homo” laws was significant ($t=-3.3008$; $p < .01$). The overall model predicting comfort talking to teachers about LGBTQ issues was significant ($F= 31.689$, df = 18, $p < .001$). The variable indicating presence of “no promo homo” laws was significant ($t=-2.671$; $p < .05$). The overall model predicting comfort talking to teachers about LGBTQ issues was significant ($F= 38.563$, df = 18, $p < .01$). The variable indicating presence of “no promo homo” laws was significant ($t=3.3008$; $p < .01$). The overall model predicting comfort talking to teachers about LGBTQ issues was significant ($F= 31.689$, df = 18, $p < .001$). The variable indicating presence of “no promo homo” laws was significant ($t=-2.671$; $p < .05$). The overall model predicting comfort talking to teachers about LGBTQ issues was significant ($F= 38.563$, df = 18, $p < .01$). The variable indicating presence of “no promo homo” laws was not significant. The overall model predicting serving as a GSA advisor was significant ($\chi^2 = 55.211$, df = 18, $p < .001$). The variable indicating presence of “no promo homo” laws was not significant.