

ENSURE ACCESS TO AFFIRMING AND ACCURATE LEARNING MATERIALS

THE PROBLEM

All students should feel affirmed in their learning environment, including through their learning materials, and should have access to information that reflects the diversity of our nation. But over the last few years, conservative extremists have organized to limit the information that students in K-12 schools and higher education access in classrooms, school and public libraries, and in other educational programs. Their [censorship or book banning](#) efforts seek to limit what students learn, including books and curriculum that address LGBTQIA+ identities, gender, race, reproductive rights, sexual health, [consent, as well as sexual harassment, violence](#), and abuse. These attacks have escalated over the last year with the Trump administration's attacks on [diversity, equity, inclusion, and accessibility programs](#), including women and gender studies, Black studies, ethnic studies, and more, raising significant concerns about academic freedom and First Amendment protections.

These efforts prevent students from accessing a [broad spectrum of information](#) that contributes to well-informed citizens with [strong critical thinking skills](#). Further, these efforts deny students the opportunity to learn more about their peers and see themselves reflected in their learning environment. Students need access to this information to ensure they can lead healthy adult lives, make informed choices, think critically, and have the brightest futures possible. As a nation, we are made stronger by our diversity.

THE SOLUTION

In addition to organizing to prevent efforts by state legislatures, school boards, and school administrators to ban books and curricula, policymakers can take steps to ensure access to affirming and accurate learning materials in their schools by:

- **Passing legislation or guidance for school districts to prevent book and curriculum censorship that:**
 - » **Protects public school learning materials and public library materials** from censorship based upon partisan, ideological, or religious disapproval;

- » **Ensures that professional librarians and licensed educators**, who have the necessary training and expertise, are included in decision-making about developmentally appropriate reading and curricula for students, not extremist groups or politicians promoting an agenda;
 - » **Adopts a “developmentally appropriate” standard when referencing materials that are appropriate for students to access.** What is considered appropriate for students must not be based merely on a parent, guardian, or administrator’s personal beliefs or discomfort with a particular topic, content, or viewpoint. Instead, legislation or guidance should focus on what is developmentally appropriate. A “developmentally appropriate” standard refers to cognitive, social, and other skill-based standards. It is a reasonable and flexible standard to ensure youth can access the materials they are ready for.
 - » **Aligns with the standard in the Supreme Court case Board of Education, Island Trees Union Free School District No. 26 v. Pico.** The First Amendment imposes some limitations on a school board’s discretion to remove books from school libraries—particularly when the decision to remove books is partisan, political, or is based upon a dislike of the ideas contained in a book.
- **Ensuring school administrations and school board members work with educators**, students, and school curriculum experts to develop affirming and accurate curriculum models for K-12 education.
 - » **This curriculum should be racially, ethnically, and socially representative** of the school’s student body, which means it should also include [materials that reflect the experiences and stories of LGBTQIA+ individuals](#).
 - » **Hold listening sessions or focus groups with students and staff** to gain insight into the everyday school environment, the negative impact of exclusionary curricula on the retention of students, health and safety concerns, and policies that can be implemented or better enforced to achieve a safe and inclusive school environment for all students.
 - » **Implement anti-bias trainings** to address how bias shows up in curriculum and classroom instruction.
 - **Creating policies with [clear and strict guidelines for objecting to materials](#).**
 - » **These [policies must comply with the Supreme Court’s holding in Mahmoud v. Taylor](#).** The Court held that schools must allow parents and guardians to opt their children out of instruction—if it “substantially interferes” with a parents’ ability to direct the religious upbringing of their children or undermines “the religious beliefs... the parent wishes to instill in the[ir] child.” The Court said this was a fact-specific question, which included the age of the students at issue, for which the Court recognized that older students have greater critical thinking skills to resist interference with their religious beliefs.

- * The decision does not require schools to censor any books or curricula. It simply requires schools to allow parents and guardians to opt out of instruction that may “substantially interfere” with their child’s religious development. It should be noted that some extremist groups have used the decision to [argue for opt-outs](#) for content featuring LGBTQI+ characters, discussions of race, and the existence of racism in the classroom.
- * Schools should not guess what books or materials may trigger religious objections, nor are they required to preemptively remove books. Rather, school policies should require parents or guardians to make objections known. Any notice to parents of their right to opt their children out of certain instructional materials should be neutral and not single out any type of content which could raise religious objections, such as only books featuring LGBTQIA+ characters, interracial families, single parents, etc.
- * [Policies should make clear that parental objections will not be considered if based merely](#) on parents’ or guardians’ personal views or discomfort with certain topics.
- **Provides school districts with the resources** necessary to attract and retain a [racially and culturally diverse teaching workforce](#), which contributes to [positive outcomes](#) for all students, but especially for [students of color](#).

TALKING POINTS ON THE SOLUTION

- **Students deserve access to learning materials** that are historically accurate and [reflective of their identity and diverse perspectives](#). This contributes to safe and inclusive learning environments for students who can see their own lives reflected in what they read and learn. It allows them to learn about communities different from their own and to engage with diverse perspectives and ideas that help them become prepared for higher education or the workforce.
- **Book bans are [not new](#) to the United States**. However, this is the first time in U.S. history that we have seen efforts on this scale to remove books from and limit curriculum in schools. One study shows that in the 2024–2025 school year, there were [nearly 7,000 new instances](#) of book bans across the country.
- **Young people should feel affirmed** in their learning materials and must have access to information that reflects the [diversity of their peers](#) and this nation.
- **Giving young people access to stories and lessons about people who are different from them** can help them [develop empathy](#) for their peers and for those outside of their own community. Learning and understanding about different experiences and communities is important to prepare students for the workforce and for a functioning democracy.

- **LGBTQI+ students report lower rates of absenteeism** when they have access to [inclusive curricula and supportive school staff](#).
- **Black students who have [racial and cultural representation in their education](#)** and at least one Black teacher between third and fifth grades are nearly 29% less likely to withdraw from school.
- **Access to developmentally appropriate [information about sexual and reproductive health allows young people to keep themselves safe and healthy](#)**. It empowers them to make their own decisions about their reproductive health care on their own terms and timelines. Depriving young people of knowledge surrounding topics such as pregnancy, abortion, birth control, menstruation, and sexually transmitted infections (STIs) [inhibits their access to](#) and understanding of preventative measures and safe practices.
- **Comprehensive [sexual education](#)** also provides youth with [necessary education surrounding consent and healthy sexual relationships](#), which can decrease the likelihood of young people experiencing and perpetrating sexual harassment, sexual violence, and dating violence.
- **Educators are being deprived** of safe and inclusive environments where they are free to teach because of extremist restrictions on what can be taught and read in schools. Many educators who care about our children's educational success [feel a loss of agency and fear retaliation and uncertainty in their jobs](#). Their relationships with students are being harmed due to a climate of fear impacting how they can support LGBTQIA+ students.

Additional Messaging Resources

- Click [here](#) for top-line messaging regarding the Supreme Court's decision in *Mahmoud v. Taylor*, why opt-out policies are harmful to students, and how to fight censorship in schools and at school board meetings.
- Click [here](#) for talking points on the importance of inclusive schools and curriculum.
- Click [here](#) to read a report about how censorship policies and other attacks on inclusive education are impacting teachers.
- Email stategenderpolicy@nwlc.org for additional talking points regarding book and curriculum bans.

Public Popularity

- A January 2026 survey showed more than half of adults ([59%](#)) support ensuring schools and workplaces are diverse, equitable, and inclusive.

- An April 2025 survey of teachers showed more than six in 10 teachers ([61%](#)) think laws passed to limit topics such as those related to race, gender, and sexual orientation, are either bad or unnecessary.
- A January 2026 poll showed an [overwhelming majority of Americans](#) support trans-inclusive sex education (72%), believe schools should be safe and welcoming for transgender students (75%), and think that schools should protect transgender students from discrimination (68%).

Examples of State and Local Policies

A growing number of states have passed legislation to protect against censorship of books and curricula in public schools, public libraries, or both.

- [New Jersey](#), [Delaware](#), [Oregon](#), [Rhode Island](#), [Maryland](#) and [Minnesota](#) passed legislation to protect books in schools. For example, [Minnesota](#) prohibits the removal of books from public school libraries based upon the viewpoint, message, or ideas it conveys.
- [Oregon](#), [California](#), [Minnesota](#), and [Washington](#) passed legislation that protects school curricula. For example, [Washington](#) requires school districts to adopt inclusive curricula that incorporates the histories and contributions of racially and culturally diverse communities and the LGBTQIA+ community.
- [New Jersey](#), [Delaware](#), [Rhode Island](#), [Maryland](#) and [Colorado](#) passed legislation to implement a formal process for challenging books. For example, [Maryland](#) requires each local school system to establish policies to review objections to materials in a school library media program. In 2025, [Rhode Island](#) became the first state to establish a private right of action, allowing readers, librarians, and writers impacted by censorship to sue.
- [Delaware](#), [Maryland](#), [Minnesota](#), [Illinois](#) and [Colorado](#) prohibit the removal of books or other materials from public libraries based upon partisan disapproval or disagreement with the messages expressed in the material. For example, [Illinois](#) requires state public libraries to adopt the American Library Association's Bill of Rights and prevents the removal of books based upon partisan or doctrinal disapproval.