DeSantis to expand 'Don't Say Gay' law to all grades

By ANTHONY IZAGUIRRE, March 22, 2023

Florida Gov. Ron DeSantis ' administration is moving to forbid classroom instruction on sexual orientation and gender identity in all grades, expanding the controversial law critics call "Don't Say Gay" as the Republican governor continues to focus on cultural issues ahead of his expected presidential run.

The proposal, which would not require legislative approval, is scheduled for a vote next month before the state Board of Education and has been put forward by the state Education Department, both of which are led by appointees of the governor.

The rule change would ban lessons on sexual orientation and gender identity from grades 4 to 12, unless required by existing state standards or as part of reproductive health instruction that students can choose not to take. The initial law that DeSantis championed last spring bans those lessons in kindergarten through the third grade. The change was first reported by the Orlando Sentinel.

DeSantis has leaned heavily into cultural divides on his path to an anticipated White House bid, with the Republican aggressively pursuing a conservative agenda that targets what he calls the insertion of inappropriate subjects in schools.

Spokespeople for the governor's office and the Education Department did not immediately return an emailed request for comment.

White House press secretary Karine Jean-Pierre condemned the proposal saying "It's wrong, it's completely, utterly wrong." She called it "part of a disturbing and dangerous trend that we're seeing across the nation" of targeting LGBTQ people.

Last year's Parental Rights in Education Act drew widespread backlash nationally, with critics saying it marginalizes LGBTQ people and their presence in society. President Joe Biden called it "hateful."

DeSantis and other Republicans have repeatedly said the measure is reasonable and that parents, not teachers, should be broaching subjects of sexual orientation and gender identity with their children.

Critics of the law say its language — "classroom instruction," "age appropriate" and "developmentally appropriate" — is overly broad and subject to interpretation. Consequently, teachers might opt to avoid the subjects entirely for fear of being sued, they say.

The law also kicked off a feud between the state and Disney, one of the state's largest employers and political donors, after the entertainment giant publicly opposed the law and said it was pausing political donations in the state.

At the governor's request, the Republican-dominated Legislature voted to dissolve a self-governing district controlled by Walt Disney World over its properties in Florida, and eventually gave DeSantis control of the board. The move was widely seen as a punishment for the company opposing the law. The board oversees municipal services in Disney's theme park properties and was instrumental in the company's decision to build near Orlando in the 1960s.

Disney later this year will host a large conference on LGBTQ workplace representation with the group Out & Equal, continuing a longstanding relationship with the organization.

DeSantis has faced calls from at least one Republican presidential contender to go even further than the existing law, with former South Carolina Gov. Nikki Haley last month saying the prohibition could be more stringent and extended into later grades.

The proposed rule change this year also signals the governor's willingness to bypass even the compliant state legislature and instead leverage state boards in order to accomplish his high-profile political goals. Late last year, at DeSantis' urging, state medical boards voted to ban children from receiving hormones or undergoing surgeries to treat gender dysphoria.

"Everything he does is about what can further his own career ambitions," said Brandon Wolf, press secretary for the LGBTQ advocacy group Equality Florida. "And it's clear he see the anti-LGBTQ movement as his vehicle to get him where he wants to go."